

## SENATE—Thursday, January 10, 1991

(Legislative day of Thursday, January 3, 1991)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Vice President.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer.

Let us pray:

*But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil.—Matthew 5:37.*

Eternal God, infinite in truth and justice, fill this Chamber with Your presence, Your light, today. Aware of the rebuke to Job and his loquacious friends: "Then the Lord answered Job out of the whirlwind, and said, Who is this that darkeneth counsel by words without knowledge?" (Job 38:1,2), and aware of the power of words to conceal as well as illuminate, to deceive as well as inform, to confuse as well as clarify, to kill as well as edify, grant to the Senators in their debate cool heads, warm hearts and economy of language. Protect the cosmic issue of war from being reduced to political pragmatism. Keep us sensitive to Your overruling providence in history and the possibility of divine intervention when frustration freezes to inaction.

To the glory of Your name and the doing of Your will. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The VICE PRESIDENT. The majority leader is recognized.

## VITIATION OF THE PRO FORMA SESSION

Mr. MITCHELL. Mr. President, pursuant to the previous order, I vitiate the pro forma session.

## THE JOURNAL

Mr. MITCHELL. I ask unanimous consent that the Journal of proceedings be approved to date.

The VICE PRESIDENT. Without objection, it is so ordered.

## CREDENTIALS: RESIGNATION AND APPOINTMENT

Mr. MITCHELL. Mr. President, I inquire of the Chair, are the official papers relative to the appointment of the newly appointed Senator JOHN SEYMOUR from California, received and in proper order?

The VICE PRESIDENT. They are received, and they are in proper order.

The Chair lays before the Senate a facsimile of the letter of resignation from Senator Wilson and a certificate of appointment to fill the vacancy caused by the resignation.

Without objection, the reading thereof will be waived and the documents will be printed in the RECORD.

The documents ordered to be printed in the RECORD are as follows:

STATE OF CALIFORNIA,  
Sacramento, CA.

Hon. DAN QUAYLE,  
President of the Senate, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Pursuant to the provisions of the Constitution of the State of California, I resigned my office as United States Senator upon assuming the office of Governor on January 7, 1991.

Sincerely,

PETE WILSON,  
Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA—CERTIFICATE OF APPOINTMENT  
To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of California, I, Pete Wilson, do hereby appoint John Seymour a Senator to represent the State of California in the Senate of the United States until the vacancy therein, caused by my resignation, is filled by election as provided by law.

Witness: His excellency our Governor Pete Wilson, and our seal hereto affixed this 7th day of January, 1991.

PETE WILSON,  
Governor.

## ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designate will now present himself to the desk, the Chair will administer the oath of office.

Mr. SEYMOUR, escorted by Mr. DOLE, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

[Applause, Senators rising.]

The VICE PRESIDENT. The majority leader is recognized.

## ORDER FOR MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that following the

time for the two leaders, Senators be permitted to speak.

The VICE PRESIDENT. Without objection, it is so ordered.

## SCHEDULE

Mr. MITCHELL. Mr. President and Members of the Senate, I have had a continuing series of consultations with the distinguished Republican leader and other Senators in an effort to discern the best way to proceed with respect to the Persian Gulf crisis. What Senate DOLE and I agreed upon is to permit debate to occur today.

I anticipate that there will be two resolutions to be presented today. We have been involved in drafting one, and I know that Senator DOLE and others have been involved in drafting others. We agreed last evening to exchange those resolutions today. I expect that ours will be ready momentarily. We have completed action on it. It is now being placed in final form. So I hope to be able to make that public and present it to my colleagues in a very short time, and at that point to commence the discussion.

In our meetings, the most recent one being last evening, I have suggested the possibility of the Senate's reaching agreement on a procedure which would permit us to debate this issue in a full and open manner that combines both the opportunity for all Senators to fully express themselves on the subject, which I think is essential given the gravity of the matter, but also permits us to complete debate within a reasonable period of time so that this does not continue indefinitely.

As we know, the House is apparently close to completion of a process which would combine debate today and result or conclude in three votes on Saturday. It is my hope that we can follow some comparable, if not identical, procedure, either resulting in three or possibly, in the Senate, four votes depending upon the number of resolutions offered.

Senator DOLE and I have agreed that after we exchange the resolutions today and during the time in which the debate is occurring we will meet further to explore the possibility of reaching agreement along these lines. I hope very much that we can do that. Obviously it is subjective, but I believe 3 full days of debate would be sufficient and appropriate time for exploration of the matter.

I emphasize to Senators that we will be in session throughout the day today and for as long as necessary to accom-

moderate any Senator who wishes to speak. So I encourage any Senator who wishes to express his or her views on the subject to do so today. Of course, the debate will continue tomorrow and at least Saturday under the suggested procedure which I have just described.

With that, I will momentarily yield to the distinguished Republican leader for any comments he may wish to make, and then it is my intention to put in a brief quorum call until we have a resolution ready for presentation, and the commencement of the debate which I expect will occur this morning.

#### SENATOR SEYMOUR'S WELCOME

Mr. DOLE. Mr. President, first, let me welcome our newest Senator, JOHN SEYMOUR, from the State of California. We welcome him to the U.S. Senate. We have a rather critical time in history—in my view a very serious time. This is a very serious debate. We look forward to his service in the U.S. Senate.

Mr. MITCHELL. Mr. President, will the Senator yield to me so that I may join in the welcome? I feel some empathy with Senator SEYMOUR since it was almost exactly 11 years ago that I was in a similar situation.

I telephoned him following the day of his appointment, and offered him a special welcome and told him I looked forward to working with him. Senator COATS and I remember having been through the same experience, and I think he recognizes the enormity of the task that we all face.

So I join Senator DOLE in welcoming Senator SEYMOUR, and I look forward to working with him.

I thank the Republican leader.

#### SCHEDULE

Mr. DOLE. I thank the majority leader.

Mr. President, with reference to how we are going to proceed, first of all, we need to examine each other's plans. I am not certain ours is prepared. I understand the majority leader is about to complete his. We are trying to coordinate, at least on this side, our efforts with bipartisan efforts in the House, and, of course, at the White House, to try to come up with some proposal that will have strong bipartisan support in the Senate. Until we have had an opportunity to examine, not only look at it myself, but to have a conference with Republican Senators sometime either this morning or afternoon, we will not be in a position to get consent to proceed to the consideration. I am not certain; is it a concurrent or joint resolution?

Mr. MITCHELL. Joint resolution.

Mr. DOLE. Joint resolution. So we need to examine the resolution to see what it says because I still believe—I

am an optimist—I still think there is plenty of time for Saddam Hussein to come to his senses. I understand that the international community is serious, and what I do not want to happen is for him to get any misinformation or mistaken signal from the Congress of the United States.

It is my hope that there can be some bipartisan development. I do not think there has been any effort to make it partisan. I think there has been on the House side, but as far as I know on the Senate side it has not occurred. I have not taken a whip check. The majority leader has not taken a whip check. This should not be a partisan matter. We may have differences; it is a democracy. But I think our goal nearly in every case is the same; that is, to get Saddam Hussein to understand that he must leave Kuwait.

I am not certain what signal would be sent if we adopt whatever resolution we may be given here in the next few minutes. As I understand it, it says just wait. It does not say how long; 30 days, 30 months, 30 years? So I am not certain what kind of signal that sends, but it seems to me it takes Saddam Hussein off the hook. That may be the most painless decision, just wait and wait and wait.

So it is still my hope that we can find some way to authorize the President to use force in accordance with the U.N. resolution, hoping that it will not happen. And it occurs to me that one way we might achieve that is to authorize the use of force—but that is not the same resolution—in some fashion to give the Congress, under expedited procedure, on the motion of the majority leader and the Speaker of the House, and a right to rescind that authorization. It would authorize the use of force, but you would also have, under expedited procedure, a right to rescind the use of force if the majority leader and the Speaker feel there has been abuse of power or misuse or for whatever reason that the Congress should rescind the authority to use force, if necessary, in accordance with the U.N. resolution.

Maybe that is a possibility. It is one that we will be discussing on our side, one that I hope we might be able to obtain some support for on the other side because it just seems to me that is one way to get Saddam Hussein's attention. I do not know if he is tuned in. He tells us where he is tuned in.

But I think one way for him to understand we are not divided is to try to accommodate the President's request. The President asked us verbally a dozen times for help. Now he has asked us in writing. It seems to me there has to be some way, still preserving all of our rights under the Constitution, that we can support the President of the United States.

If we can figure out some way to do that, then we can dispose of the resolu-

tions very quickly. If not, it could be more difficult. But if there is a determination by Members on this side—and it does not take too many—that we are proceeding in the wrong direction, we are sending the wrong signal, then that might frustrate the efforts of some on the other side. We do not want to do that.

I am not announcing that will happen, but I am indicating that we have to make a judgment on how best we can underscore the unity we have in achieving the objectives of this withdrawal from Kuwait and the restoration of the government. So we will be working with the majority leader and others throughout the day.

I guess there will be debate, but there is nothing to debate, unless we just want to debate the general gulf crisis. Until we actually have a resolution before us, it is rather difficult to hone in on anything specific.

Certainly we are prepared to debate. I believe we should have been debating for the last several weeks, not at this last minute when we are coming down to the crunch. So we are prepared to proceed in an orderly fashion, even at this late date. I yield the floor.

Mr. MITCHELL addressed the Chair. The VICE PRESIDENT. The majority leader.

Mr. MITCHELL. Mr. President, as I indicated in my earlier remarks, I expect that our resolution will be ready promptly, and I intend to present it for consideration and debate very shortly to the distinguished Republican leader, to all Members of the Senate, and to the public at large. So we expect that to occur very shortly.

Mr. COATS. Mr. President, will the Senator yield?

Mr. MITCHELL. Yes, sir.

Mr. COATS. Mr. President, I wonder if I might inquire of the majority leader a little more definition as to his attempts to put some type of limitation on the debate. I think one thing our new colleague will find is that one of the great privileges of serving in the Senate is the ability for unlimited debate for any Senator at any time to say anything he wants on any subject.

When I came over from the House of Representatives, I found that to be one of the great benefits that the Senate had that the House did not have, where our time is limited. I also found it to be one of the great disadvantages because of the fact that any Senator at any time may speak on any thing, and they often do, late at night, and on and on it goes.

It seems to me that in this particular situation, with the deadline of January 15 approaching, that some type of resolution by the Congress needs to be forthcoming on a relatively quick basis, so that we do not send a signal that the Congress does not know where it wants to go. We can put the President and the Secretary of State in an



untenable position if debate continued on and on, and particularly approaching that deadline.

I appreciate the majority leader's difficulty in securing a limitation on debate on something this important and this critical to our Nation's future and directly affecting the men and women who are serving in the Middle East, but I wonder if there is some indication that the majority leader can give relative to placing some reasonable limit, without precluding any Senator's rights on reaching a conclusion to this matter?

Mr. MITCHELL. Yes. That is my desire, and I have expressed that to the distinguished Republican leader and publicly. I think if we begin today and have 3 full days of debate, it is my estimate that that is approximately the fair balance between the opportunity for every Senator to express himself or herself as fully as they desire and still coming to some conclusion prior to January 15.

The House has 3 days for that debate. They have 435 Members. If we have 3 days with 100 Members, it seems we ought to be able to do it, if we can conduct the debate in a reasonable and orderly fashion. So I will propound a request of that type at an appropriate time.

The distinguished Republican leader has indicated that he wishes the opportunity to review the resolution which we will propose and to consult with some Republican Senators. That is an eminently fair and reasonable request on his part. So we agreed last night that we would exchange resolutions today. He would engage in the process of consultation, which he has described, and respond to the suggestion that I have made previously in my meetings with him, and here publicly this morning. I hope we can do that.

I am obviously open and perfectly willing to entertain suggestions to alter the proposal I have made, a different time, different length, different mechanism of proceeding; but I wanted to make clear my view that we ought not permit this to be a debate which is indefinite in length and continue beyond January 15, without the opportunity for the Senate to express itself in one way or the other.

Mr. COATS. Mr. President, if the majority leader will yield one more time.

I wish the majority leader, with the help of the Republican leader, Godspeed in that effort. As the majority leader knows, there is a great tendency in this body to delay debate until the very last possible moment. It is conceivable that we go on today and the majority leader will be pleading for Senators to come to the floor and begin debate and everything will stack up.

I would hate to see delay used as a tactic to frustrate what the President is asking us to do, frustrate his efforts to send a clear signal that it is at least

his intention to draw a line relative to the time in which Iraq can respond to his request. So I hope and fully expect to cooperate in the effort in any way I can to assist the majority leader and the Republican leader in urging our colleagues to begin the debate, to have a full debate on the critical issue, but to bring it to some point of resolution so we do not send the wrong signal.

Mr. MITCHELL. Mr. President, I thank the Senator and I share his view entirely. Obviously, any Senator or group of Senators may, under the rules, delay consideration of this matter for a fairly lengthy period of time. I hope that does not occur. I will not be a party to it. I will oppose that, should it occur. I believe that whatever the outcome, Senators ought to have the opportunity to express themselves, both in statements and in votes on this important subject. And I hope that all Senators will share the view expressed by the Senator from Indiana.

Mr. STEVENS addressed the Chair.

The VICE PRESIDENT. The Senator from Alaska.

Mr. STEVENS. Mr. President, let me thank the leadership, both Senator MITCHELL and Senator DOLE, for their prompt notification. I was in Alaska, and it is not easy to come back.

I want to explore the relevance of our proceedings to that of the House in the majority leader's mind. Does the majority leader believe we should vote before the House or after the House or some time simultaneously with the House?

Mr. MITCHELL. Mr. President, I have no fixed opinion as to the specific timing of the vote. I do not know at what time on Saturday the House will vote. I do not know if a specific time has yet been set. I was merely suggesting 3 days as a reasonable time for debate here, without regard to the precise time that the House has to vote.

Mr. STEVENS. Mr. President, if the leader will yield further, would it then be the understanding of the leader and the leadership that we would not contemplate any votes before Saturday?

Mr. MITCHELL. That is what I hope to accomplish. What I hope to accomplish is that we will know what the issues are, we will know precisely what the resolutions are. We can debate them thoroughly and then vote on them either during that period or at the conclusion of that period. That depends upon the will of the Senate. We can either take the resolutions one at a time, vote on them at a time certain, Friday, Saturday, or defer votes until a later time.

I am completely open on that to whatever the will of the Senate is.

Mr. STEVENS. Mr. President, just one further thing and that is, is it the majority leader's desire that we end up by having an agreed set of resolutions that we would vote on or does he contemplate that we will have a majority

resolution that would be subject to amendment and a minority substitute? Are we going to try and work out the procedures so that we can have a clearly defined series of issues for Saturday? In the majority leader's mind is that his goal?

Mr. MITCHELL. Yes, it is.

Mr. STEVENS. Mr. President, I am prepared to work with the leadership. I support that goal. I think the American people want to see clearly defined issues, not procedural issues that we would stumble on, but clearly defined issues here that we can vote upon and vote our conscience as is indicated. I do believe it is not a partisan matter.

I congratulate the majority leader for his willingness to respond to the President's request. Many of us have urged the President to submit such a letter. I am glad he did, and it is my hope that we can achieve the objective of voting before this weekend is over so that the message has time to get to Saddam Hussein and get to his people so they really can understand it.

I thank the majority leader.

Mr. WARNER addressed the Chair.

The VICE PRESIDENT. Does the Senator yield?

Mr. MITCHELL. I yield to the Senator from Virginia.

The VICE PRESIDENT. The majority leader yields to the Senator from Virginia.

Mr. WARNER. Mr. President, I join others in expressing our recognition and congratulations to both the majority leader and Republican leader, during the past several days, indeed, over a period of now 2½ months in which the leadership of this body and House have been consulting with the President on these issues.

My question is: At some point in time, the two bodies would proceed toward their own resolution which would then necessitate a conference between the two Houses. Am I not correct on that?

Mr. MITCHELL. That is correct, although I believe that the resolutions will be either identical or substantially similar. It is my understanding from the distinguished Republican leader that—and as he just stated—they are involved in consultation with the Members of the House who share the view of the distinguished Republican leader, and I have inferred from that that the resolution offered here may be identical to or substantially similar to that offered in the House.

Mr. WARNER. Mr. President, I certainly join in the hope that Congress speak with a single voice on this matter and with such clarity that not only the American people but indeed the whole world and most particularly Saddam Hussein understand it. I firmly believe, Mr. President, that the Congress is in a position now unique in its history to avoid the use of force if we

speak with unity and join the President and the United Nations.

I thank the Chair.

Mr. LEAHY. Will the majority leader yield for a question?

Mr. MITCHELL. Yes.

Mr. LEAHY. Mr. President, is it the majority leader's intention in all of this to reach the very basic question, that is, is the Congress going to vote on the issue of whether we authorize the war or not? Is it the majority leader's intention that ultimately the Senate and the House will vote on the basic core issue that the Constitution requires us to vote on whether we, in effect, declare war or not?

Mr. MITCHELL. That is correct. I believe that is the fundamental issue. That will be set forth in the debate certainly. I intend to set that out in my remarks which I expect to make today regarding the resolution to which the Senator referred.

Mr. LEAHY. I thank the distinguished majority leader.

While there has been a lot of discussion on both sides of the aisle, I think it is absolutely essential that on something this momentous, the Constitution requires that the Congress vote aye or nay on the question of war. If the Congress votes no, that settles that question. If the Congress votes yes, then the President also has that support and can state to Saddam Hussein and the rest of the world he has that support.

But it is, I believe, essential—and I commend the majority leader for the steps he has taken—to fulfill the Constitution. Otherwise we set a precedent which says whoever is President of the United States, he alone has the most awesome power in the world at his disposal. That was not intended by the Constitution, it is not intended by the American people, and I believe in that regard we will be able to speak to it.

I join with the majority leader on whatever steps are necessary to focus debate and bring it to a timely conclusion and a vote.

I thank the Chair. I thank the majority leader.

Mr. MITCHELL. I thank my colleague.

Mr. President, I understand the Chair has an appointment.

#### APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, as President of the Senate, pursuant to Public Law 85-874, appoints the Senator from Oregon [Mr. HATFIELD] to the board of trustees of the John F. Kennedy Center for the Performing Arts.

#### ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I will momentarily suggest the absence of a quorum to prepare finally for the de-

bate which will commence shortly. As I indicated, I expect to have our resolution ready. It may have been put in final form during the time that we have been out here on the floor. Therefore, I again encourage any Senator who wishes to address the subject to be prepared to do so today as that is the purpose of today's session for debate on the matter as I described earlier. While that debate is continuing, it is my hope we will be able to reach agreement for proceeding as I earlier suggested.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FOWLER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WIRTH). Without objection, it is so ordered.

#### SENATE JOINT RESOLUTION REGARDING UNITED STATES POLICY TO REVERSE IRAQ'S OCCUPATION OF KUWAIT

Mr. MITCHELL. Mr. President, on behalf of Senators NUNN, BYRD, PELL, BOREN, MITCHELL, and LEVIN, I send a joint resolution to the desk and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

##### S.J. RES. 1

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That*

(a) the Congress is firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait.

(b) The Congress authorizes the use of American military force to enforce the United Nations economic embargo against Iraq; to defend Saudi Arabia from direct Iraqi attack; and to protect American forces in the region.

(c) The Congress believes that continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained, but does not rule out declaring war or authorizing the use of force at a later time should that be necessary to achieve the goal of forcing Iraqi troops from Kuwait.

(d) The Congress pledges its full and continued support for sustaining the policy of increasing economic and diplomatic pressure against Iraq; for maintaining our military options; and for efforts to increase the military and financial contributions made by allied nations.

(e) The Constitution of the United States vests all power to declare war in the Congress of the United States. Congress will expeditiously consider any future Presidential request for a declaration of war or for authority to use military force against Iraq, in accordance with the following procedures:

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Mr. MITCHELL. I am not introducing it at this time. It is my intention to introduce it later today. Senators will have until the close of business today to add themselves as original cosponsors.

Mr. LEAHY. Will the Senator yield for a request to do just that?

Mr. MITCHELL. I so yield, Mr. President.

Mr. LEAHY. Mr. President, I ask unanimous consent to be named as a cosponsor, following the names of those who were involved in the drafting of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader.

Mr. DOLE. Mr. President, does the resolution that is being presented in the RECORD contain the expedited procedure? I do not have that as part of my joint resolution.

Mr. MITCHELL. It does not at this time. We hope to have that. That is now being typed in final form. That will be submitted later for the RECORD, and will be provided to the distinguished Republican leader as soon as it is finally typed.

Mr. DOLE. If the majority leader will yield further, I think we have sort of the guts of the resolution here.

Mr. MITCHELL. Yes.

Mr. DOLE. The other is procedure.

Mr. MITCHELL. That is right.

Mr. DOLE. We will now on our side try to start the process of meeting with a number of our colleagues, and also with the President to get his views on this particular resolution.

#### THE PERSIAN GULF

Mr. MITCHELL. Mr. President, for two centuries Americans have debated the relative powers of the President and Congress. Often it has been an abstract argument. But today that debate is real.

The men who wrote the Constitution had as a central purpose the prevention of tyranny in America. They had lived under a British king. They did not want there ever to be an American king. They were brilliantly successful. In our history there have been 41 Presidents and no kings.

The writers of our Constitution succeeded by creating a government with separate institutions and divided powers. They correctly reasoned that if power were sufficiently dispersed, no institution or individual could gain total power.

Nowhere has their concept been more severely tested than in what they regarded as one of the greatest powers of government—the power to make war.

The Constitution designates the President as Commander in Chief of the Armed Forces. With that designation comes the authority to direct the deployment of those forces.



But the Constitution also grants to the Congress the authority to raise and support armies and to declare war.

The division of authority was a decision consciously reached by the Framers of the Constitution. The earliest draft of the Constitution would have empowered the Congress to "make war," a greater grant of power than to "declare war." It reflected the deep concern of the Founding Fathers about too great a concentration of powers in a single pair of hands.

When it was argued that this wording might prevent the President from responding to an attack on the country, the Constitutional Convention agreed to share the power. After the Revolutionary War, the Founders knew that a legislative body could not direct the day-to-day operations of a war.

But they also knew that the decision to commit the Nation to war should not be left in the hands of one man. The clear intent was to limit the authority of the President to initiate war.

Our subsequent history has borne out their wisdom.

Acting in his capacity as Commander in Chief, President Bush has deployed a vast American military force to the Persian Gulf.

He was not required to seek the approval of Congress to order that deployment, and he did not do so.

But if he now decides to use those forces in what would plainly be war he is legally obligated to seek the prior approval of the Congress.

The President has the authority to act in an emergency, and to authorize our forces to defend themselves if attacked. But, that is not what is now at issue.

Two days ago, the President requested that Congress authorize him to implement the U.N. resolution authorizing "all necessary means" to expel Iraq from Kuwait.

But yesterday the President said that, in his opinion, he needs no such authorization from the Congress. I believe the correct approach was the one taken by the President 2 days ago when he requested authorization. His request clearly acknowledged the need for congressional approval.

The Constitution of the United States is not and cannot be subordinated to a U.N. resolution.

So today the Senate undertakes a solemn constitutional responsibility: To decide whether to commit the Nation to war. In this debate, we should focus on the fundamental question before us: What is the wisest course of action for our Nation in the Persian Gulf crisis?

In its simplest form, the question is whether Congress will give the President an unlimited blank check to initiate war against Iraq, at some unspecified time in the future, under circumstances which are not now known

and cannot be foreseen, or whether, while not ruling out the use of force if all other means fail, we will now urge continuation of the policy of concerted international economic and diplomatic pressure.

This is not a debate about whether force should ever be used. No one proposes to rule out the use of force. We cannot and should not rule it out. The question is should war be truly a last resort when all other means fail? Or should we start with war, before other means have been fully and fairly exhausted?

This is not a debate about American objectives in the current crisis.

There is broad agreement in the Senate that Iraq must, fully and unconditionally, withdraw its forces from Kuwait.

The issue is how best to achieve that goal.

Most Americans and most Members of Congress, myself included, supported the President's initial decision to deploy American forces to Saudi Arabia to deter further Iraqi aggression.

We supported the President's effort in marshaling international diplomatic pressure and the most comprehensive economic embargo in history against Iraq.

I support that policy. I believe it remains the correct policy, even though the President abandoned his own policy before it had time to work.

The change began on November 8, when President Bush announced that he was doubling the number of American troops in the Persian Gulf to 430,000 in order to attain a "credible offensive option."

The President did not consult with Congress about that decision. He did not try to build support for it among the American people. He just did it.

In so doing, President Bush transformed the U.S. role and its risk in the Persian Gulf crisis.

In effect, the President—overnight, with no consultation and no public debate—changed American policy from being part of a collective effort to enforce economic and diplomatic sanctions into a predominantly American effort relying upon the use of American military force. By definition, sanctions require many nations to participate and share the burden. War does not.

Despite the fact that his own policy of international economic sanctions was having a significant effect upon the Iraqi economy, the President, without explanation, abandoned that approach and instead adopted a policy based first and foremost upon the use of American military force.

As a result, this country has been placed on a course toward war.

This has upset the balance of the President's initial policy, the balance between resources and responsibilities, between interests and risks, and between patience and strength.

Opposition to aggression is not solely an American value. It is universal. If there is to be war in the Persian Gulf, it should not be a war in which Americans do the fighting and dying while those who benefit from our effort provide token help and urge us on. Yet, as things now stand, that is what it would be.

The Armed Forces in the region should reflect the worldwide concern about the problem, but they do not. Americans now make up more than three-fourths of the fighting forces in the region. That is wrong and unfair. If this is to be an international effort, it should be an international effort in more than name only. Yet, as things now stand, that is what it could be: an international effort in name only.

Iraq must leave Kuwait. There is no disagreement about that. Iraq must leave Kuwait. If necessary, it must be expelled; if need be, by force of arms. There is no disagreement on that.

But in the event of war, why should it be an American war, made up largely of American troops, American casualties, and American deaths? We hope there is no war, but if there is, we hope and pray that it will not be prolonged with many casualties.

Certainly, the United States has a high responsibility to lead the international community in opposing aggression, but this should not require the United States to assume a greater burden and a greater responsibility than other nations with an equal or even greater stake in the resolution of the crisis. That is what is happening, and it is wrong.

It may become necessary to use force to expel Iraq from Kuwait, but because war is such a grave undertaking with such serious consequences, we must make certain that war is employed only as a last resort.

War carries with it great costs and high risk; an unknown number of casualties and deaths; billions of dollars spent; a greatly disrupted oil supply and oil price increases; a war possibly widened to Israel, Turkey, or other allies; the possible long-term American occupation of Iraq; increased instability in the Persian Gulf region; long-lasting Arab enmity against the United States; a possible return to isolationism at home.

The grave decision for war is being made prematurely. This is hard to understand. The administration has yet to explain why war is necessary now when, just a couple of months ago, the administration itself said that sanctions and diplomacy were the proper course. There has been no clear rationale, no convincing explanation for shifting American policy from one of sanctions to one of war.

The policy of economic and diplomatic sanctions was the President's policy. He and other administration officials repeatedly called it the best pol-

icy to pursue. They described positively the effect that the sanctions were having on Iraq.

President Bush told a joint session of Congress in September that:

\*\*\* these sanctions are working. Iraq is feeling the heat \*\*\* Iraq's leaders \*\*\* are cut off from world trade, unable to sell their oil, and only a tiny fraction of goods get through.

Those were the President's words.

In October, Secretary of State Baker said the sanctions must remain the focus of American efforts. He said:

\*\*\* we must exercise patience as the grip of sanctions tightens with increasing severity.

According to CIA Director William Webster, the policy of sanctions is dealing a serious blow to the Iraqi economy. In December, he testified that:

\*\*\* all sectors of the Iraqi economy are feeling the pinch of sanctions, and many industries have largely shut down.

The President's initial policy against Iraq, to impose international sanctions and enforce them using all necessary means, is working, as CIA Director Webster has detailed. He and others have noted that:

More than 90 percent of Iraq's imports and 97 percent of its exports have been stopped.

Industrial production in Iraq has declined by 40 percent since August.

Many industries, including Iraq's only tire manufacturer, have either closed or sharply reduced production due to the shortage of industrial imports.

The flow of spare parts and military supplies from the Soviet Union and France, Iraq's major suppliers, has stopped.

Iraq's foreign exchange reserves have diminished drastically, hindering its ability to purchase foreign goods from smugglers.

Food prices have skyrocketed. The Iraqi Government has cut rations twice and has confiscated food from the open market.

Agricultural production has been weakened by the departure of foreign laborers.

Lines have appeared at Government distribution points for natural gas.

Clearly, this policy is not failing. It is having a significant effect on Iraq.

Yet, soon after the November 8 decision to deploy additional troops to the Persian Gulf, administration officials suddenly began expressing skepticism about whether the sanctions would have the desired effect. They argued that time was not on our side, that the Iraqi military would be able to strengthen its position in Kuwait.

Not only are these arguments the opposite of what the same people were saying earlier, they are also not consistent with the assessment and projections of the Central Intelligence Agency. Director Webster told the Congress

in December that continued sanctions will have an increasingly damaging effect not only on the Iraqi economy, but also on the Iraqi military, weakening it over time.

The CIA estimated that continued sanctions will result in:

The virtual depletion of Iraq's foreign exchange reserves by spring.

Multiplying economic problems as Iraq transfers more resources to the military.

The shutdown of nearly all but energy-related and military industries by summer.

Increasing inflation combined with reduced rations.

A severe reduction in basic commodities, such as cooking oils and sugar.

A reduction in the grain supply by half.

These effects will certainly weaken the Iraqi regime and degrade Iraq's military capabilities:

A decrease in the Iraqi Air Force's ability to fly regular missions after 3 to 6 months due to its dependence on foreign equipment and technicians.

A deterioration of the readiness of Iraq's ground and air forces after 9 months.

A reduction in the Iraqi military's transport and mobility capabilities, due to shortages of critical supplies.

Given these effects of continued sanctions against Iraq, it is clear that time is on the side of the international coalition.

But the anticipation of war has obscured a rational analysis of the initial policy set forth by the President.

It is significant that even the administration cannot and does not say that the policy of sanctions has failed. To this moment, neither the President nor any member of his administration has said that sanctions have failed.

In response to my direct question just a few days ago, both the Secretary of State and the Secretary of Defense acknowledged that sanctions have not failed. But, they say, they cannot guarantee that sanctions will get Iraq out of Kuwait by January 15. Of course, no one has ever asked for such a guarantee. Those who advocate continuing the policy of sanctions recognize that it does not guarantee success by January 15 or any other time certain. It involves a risk. The risk is that the international coalition will fall apart before Iraq leaves Kuwait.

But prematurely abandoning the sanctions and immediately going to war also involves risk. The risk there is foremost in human life. How many people will die? How many young Americans will die? That is a risk, a terrible risk.

Just this morning I heard it said that there may be "only" a few thousand American casualties. But for the families of those few thousand—the fathers and mothers, husbands and wives,

daughters and sons—the word "only" will have no meaning.

And the truly haunting question, which no one will ever be able to answer, will be: Did they die unnecessarily? For if we go to war now, no one will ever know if sanctions would have worked if given a full and fair chance.

The reality is that no course of action is free of risk. The prudent course now is to continue the President's initial policy of economic sanctions.

Time to fortify Iraq's defenses will do little good if some of Iraq's planes cannot fly for lack of spare parts, if some of its tanks cannot move for lack of lubricants, if its infrastructure and ability to wage war has been weakened.

If it eventually becomes necessary for the United States to wage war, our troops would have benefited from the additional time given for sanctions to degrade Iraq's military capabilities.

The sanctions are being enforced. They are having an effect on Iraq. We should continue their enforcement and seek to enlarge their effect.

I believe the best course now for the President and for the Nation is to "stay the course," to continue the policy the President so clearly established at the outset of this crisis. It offers the best hope now for the achievement of our objectives at the lowest cost in lives and treasure. That is a goal we all share.

Mr. WARNER. Mr. President, will the leader yield for a question?

Mr. MITCHELL. Yes, certainly.

Mr. WARNER. Mr. President, the leader very dramatically said the key question, "Did they die unnecessarily?" As I read it, this resolution, should it be adopted, would clearly indicate that the Congress is not unified with the President, that the Congress is not unified with the United Nations, and therefore Saddam Hussein would have a basis to seek any avenue for as long as he wished to avoid the goal in which I understand the leader says he concurs, namely to evacuate Kuwait.

But back to this phrase, "Did they die unnecessarily?" How carefully did the leader and his colleagues weigh this historic opportunity for the Congress of the United States to join and send a unified message to Saddam Hussein by standing with the President and with the United Nations in the hopes that that unified message would tilt the balance and induce him to evacuate and avoid the use of force and any death unnecessarily?

Mr. MITCHELL. We weighed that very carefully. I thank the Senator.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER (Mr. HARKIN). The Senator from Vermont.

Mr. NUNN. If the Senator from Vermont will yield briefly, I want to congratulate the majority leader on his excellent statement and thank him for his work on this joint resolution which he introduced on behalf of many of us



who worked on it. It has been a very difficult process in getting agreement.

I hope that there will be others who will take a look at this joint resolution on both sides of the aisle. I certainly will be looking at any joint resolution introduced by the Republican side of the aisle. It is a matter of grave importance to our country, to our people, to the young men and women who serve in the military, and particularly those stationed in the gulf.

I want to thank the majority leader for his leadership and congratulate him on an excellent statement which begins this debate by asking the right questions and by putting it in the right framework.

I will have a statement later this afternoon. I have been nursing a case of laryngitis, so if I can find a little quiet time I will get my voice back and will be speaking on this subject.

But I do think it is a very important time in the life of the Senate and the life of the Nation. It is important not only because of what is going on in the Middle East but it is important, as the majority leader said at the beginning of his statement, as to our system of Government.

I think that the people in the Middle East who are listening to the debate, particularly those in Iraq, particularly Saddam Hussein, should not make any mistake about this debate. This is democracy. This is our system of Government.

The question is not whether Iraq gets out of Kuwait. They will and they must. The question is not whether we agree with the President Bush's goals. We do.

The real question is how we go about it, whether we actually use military force or whether we use the embargo. In either event, the Iraqis must get out of Kuwait. In either case, Saddam Hussein loses, and I think that message should go out. We will, of course, as in any debate, be emphasizing the differences, but no one should lose sight of the fact that we all, Democrats and Republicans, and I think the Nation, agree on the overall goals. That should not be lost in the clouds of debate.

Mr. MITCHELL. Mr. President, I thank the Senator for his comments, and I share his view, I wish merely to reaffirm there are many things about which I am in doubt. I am in doubt as to the outcome of this debate. I am in doubt as to the votes. Anyone who works in the Senate is in doubt about the will of the Senate on many occasions.

But there is one thing on which I have no doubt whatsoever, and that is that Iraq will leave Kuwait. There is no doubt in my mind, there can be no doubt in any Senator's mind, on that point. Iraq will leave Kuwait. One way or the other, Iraq will leave Kuwait. We are united on that point.

We disagree, as Senator NUNN suggested, on the means best suited to achieve that objective at the lowest cost. I hope in the debate everyone understands that is what the issue is and that is the context in which the debate will be conducted.

Mr. President, I thank my colleagues.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Vermont.

Mr. LEAHY. Mr. President, I commend the distinguished majority leader for his comprehensive, clear statement. I commend the distinguished senior Senator from Georgia, the chairman of the Senate Armed Services Committee, for his statement.

Mr. President, if I could just reiterate what the distinguished Senator from Maine [Mr. MITCHELL] said, we are united on the goal that Iraq must leave Kuwait.

But I would hope that every single Senator, Republican and Democrat, and every Member of the other body, would be united on one other overriding point: that the Constitution is extremely clear that the Congress and only the Congress can declare war, that the votes we cast today must ultimately lead to the decision, are we declaring war or not. If we ignore the Constitution in this regard, at a time nearly half a million American troops are poised, heavily armed, in Saudi Arabia, then we set a precedent which says that in the most powerful Nation known in history, one person, whoever is President, has the sole power to unleash that enormous power in a war that can engulf any part of the world. One person and one person alone, could commit the lifeblood of our Nation to war solely on his decision. The Constitution does not say that.

For 200 years, it said the Congress would declare war. The President will then carry out such a war. That is really what we are deciding today. I cannot imagine any democracy long surviving that did not adhere to such a principle. The Founding Fathers said at the time of the constitutional convention that to do otherwise would put all the power in one person, and would in effect have an elected monarch and nobody—Republican, Democrat—in the Congress or in the administration or anywhere in our country should want that conclusion. The Constitution stands above all else.

Today, Mr. President, the Senate is engaged in a historic debate on one of the most fundamental decisions that can come before the U.S. Government. Shall this Nation commit its Armed Forces to war against another country? As I have already stated, as the majority leader stated, as the distinguished senior Senator from Georgia stated, there is no disagreement between the President and the Congress that Iraq's aggression against Kuwait must not be

allowed to stand. Certainly, nobody in Iraq, from Saddam Hussein down, could ever discern disagreement on that. The Government stands united both in the legislative branch and in the executive branch that Iraq's aggression against Kuwait must not be allowed to stand.

But this agreement between the President and Congress is not about restoring the Emir of Kuwait to his throne or returning democracy to Kuwait. Kuwait was not a democratic nation before the invasion and restoration of the Sabah family to its palaces and pleasures is not worth one American life nor is the agreement about preserving low oil prices to maintain the prosperity of the industrialized Nations. If anything, continued American and Western dependence on Persian Gulf oil is an indictment of the lack of serious energy policy over the last decade. Neither Congress nor the American people should support a war just for cheap oil, especially when the cheap oil would go primarily to those countries that are doing precious little to help.

No, Mr. President. The agreement is about stopping the use of brutal force by the strong against the weak. Saddam Hussein is striving for regional hegemony with the use of force. If collected security under the United Nations is to replace the law of the jungle in international relations, if we are to emerge from the cold war with a better and more stable international community, what Saddam Hussein has done cannot be left unchallenged.

President Bush displayed brilliant diplomacy in uniting the world community against Saddam Hussein in marshaling a strong coalition force in Saudi Arabia, and in obtaining United States approval of the most comprehensive embargo against a nation in history.

President Bush's leadership in securing a United Nations authorization of the use of force if necessary to compel Iraq to leave Kuwait is a triumph for the role and authority of the United Nations in establishing collective security as a basis for international relations. Up until his decision announced on November 8 to alter the whole character of United States policy in the Desert Shield Operation, the President had enjoyed broad bipartisan support in Congress and among the American people for his actions to deter further Iraqi aggression and to bring together the multinational coalition against Saddam Hussein.

But since then a gap between the President and many in Congress has appeared. We have to ask what has happened to produce this unfortunate division between our President and a large part of the Congress?

Mr. President, we know this divergence has come about. But let nobody think that the divergence is the consequence of disagreement on goals. All

agree that the United States and the world community must stand against the destruction of a sovereign nation, in this case a fellow member of the United Nations. Failure to act decisively against the seizure of Kuwait would destroy the chance for a fundamental change in the norms of international behavior. In my judgment, the disagreement that we see is the result of a far different perception of the right course of action to attain what really are shared goals in the Persian Gulf.

The President clearly has concluded that only force can compel Saddam Hussein to leave Kuwait. He is no longer prepared to employ an international quarantine of this outlawed regime, to enforce far-reaching sanctions, and to maintain an adequate deterrent force to prevent further aggression. As I said over and over on the floor and in my own State of Vermont, I commend the President's diplomacy and leadership in the crisis. But I must say it is not at all clear to me that he and his advisers have clearly thought through the risks of war and also what happens in its aftermath once we win.

Once war starts, for example, what are our aims? Do we intend only to liberate Kuwait and then stop? What happens in that case if the Iraqis refuse to stop fighting? Does the war go on until we totally destroy their military might? Or will we drive on to Baghdad and destroy the Saddam Hussein regime? Some of the statements we have heard from the administration seem to imply that.

But then what does victory mean for the regional balance of power, especially if we have to destroy the Iraqi military machine as well as the Saddam Hussein machine? After all, only 5 months ago, the administration was actually supporting Saddam Hussein in Iraq as a counterweight to Iran.

I remember very well during the time when the farm bill was on the floor for debate that several Senators wanted to put sanctions against Iraq because of their human rights violations. You may well recall when that happened. Even as tanks, Iraqi tanks, were amassing to go into Kuwait, the administration was up here lobbying against any sanctions against Iraq. Is this the same regime we are now ready to go to war against 5 months later?

Have we really thought through the consequences of Syria and Iran emerging as dominant regional powers? Both these countries are anti-democratic and anti-Western. They are fundamentally hostile to other moderate Arab regimes such as Egypt and Saudi Arabia. They are opposed to the United States ally, Israel. What are the prospects for long-term regional stability if these powers dominate the Middle East?

I am also concerned about the potential explosion of terrorism, including

technoterrorism if war erupts. And have we carefully analyzed the risks of world war terrorism in ways to defend against it? We do not see much evidence that a great deal of thought has been given to this as we move toward war.

Frankly, I have the distinct impression that policymaking for the Gulf crisis has been largely in the hands of the President, and a few of his closest advisers. The professional diplomats and experts on the Middle East seem to have been on the sidelines. I do not think there has been serious study and analysis of alternatives and possible outcomes.

Mr. President, I fear that sometimes we react to the day's events and then decisions get made after the latest round of cables and news broadcasts.

That should not substitute for planning for the long-term best interests of the United States.

As I understand the President's thinking, and I have been in many meetings with the congressional leadership and with the President on this issue over the last several months, the President believes sanctions would take far too long, if ever, to force Saddam Hussein to comply with the U.N. resolutions directing Iraq's withdrawal from Kuwait. Clearly, the President's concerns are not to be taken lightly.

I do wish to commend President Bush for the consulting he has done. In the 16 years I have been here, I have not seen a President take so much time to personally consult with Members of Congress, both parties in both Houses, as President Bush has.

Let me try to express something on sanctions. The multinational coalition arrayed against Iraq is disparate. It would be hard to hold together such a diverse group of nations pursuing many different objectives and interests. Nor can we discount the difficulties and costs of maintaining comprehensive sanctions for many months and perhaps even years.

There is going to be increasing temptations to violate the sanctions. Leakages will occur. Sanctions are very burdensome to many nations now participating in the coalition against Iraq and many privately, and sometimes publicly, have expressed a concern about those burdens.

Finally, we have to frankly recognize the many political, military, and financial costs of keeping a strong deterrent force in Saudi Arabia to buttress sanctions and also to make credible the threat of force if sanctions prove insufficient to achieve our aims.

Despite these serious arguments, many of us in Congress continue to believe the President was on the right course prior to November 8, and that he has moved in the wrong direction since that time. Repeatedly, I have warned and urged the President not to go to war out of impatience. I have said

that it is easier to start a war than to stop one. I have asked him to think through the consequences of war and its aftermath for the long-term interests of the United States and the Arab world.

Here is what I understood American policy to be prior to November 8, a policy I strongly supported: firm determination to compel the evacuation of Kuwait, to free the hostages, and to deter further aggression; deployment of sufficient American and other forces to protect Saudi Arabia; to make credible the option to use force, if that proved necessary; application of comprehensive economic and political sanctions against Iraq for as long as it might take to make the costs of its occupation of Kuwait exceed any benefits it might gain; and unification of the world community in the United Nations behind this policy, including endorsement of sanctions and, if necessary, to gain our goals, the use of force.

This policy has already secured two or three essential aims. It has deterred an attack on Saudi Arabia. Nobody can doubt that. We have seen the hostages freed. So what has happened to change my support?

I believe we have seen the abandonment of the strategy of strict enforcement of comprehensive sanctions to weaken and undermine the Saddam Hussein regime such that it has to withdraw. The purpose and character of American deployments in Saudi Arabia have been altered from deterrence and defense to that of offensive action. And the President has the policy of early use of force to compel Iraqi evacuation of Kuwait. January 15 is the deadline for Iraqi compliance with the U.N. resolutions.

Mr. President, President Bush is right not to base U.S. policy on public opinion polls. There is far too much willingness in both the executive and legislative branches of Government these days to shift course according to which way the polls go that day.

Sometimes it is necessary, if you want to carry out the responsibilities that are conferred upon us, that we are all sworn to uphold, to make decisions ostensibly at odds with public opinion polls.

At the same time, we are a democracy; a government is supposed to express the will of the people. Nowhere is this principle more evident and more compelling than in a decision to commit this Nation to war. That is why the Constitution makes it very clear that the democratic process must be used in a declaration of war.

War is borne by the people. It is the sons and daughters of the American people, our constituents, who have to do the fighting and the dying. We have an obligation to attempt to reflect the will of the people in this most fundamental decision.



Politically, morally, and even militarily, we must not go to war if it is not fully supported by the American people. Vietnam proved that truth, after great moral, human, financial, and diplomatic costs to the United States.

I have little doubt about the views of Vermonters. Ever since this crisis began, I have traveled throughout my State. I have asked Vermonters their views on the Persian Gulf crisis. Their reactions mirror my own, that the President was on the right track up to November 8, but has moved toward war before sanctions have had a full opportunity to work in Iraq, and that is wrong.

Vermonters also agree, whether they are in favor of going to war or opposed, with the necessity for Congress to be part of the decision on whether or not their sons and daughters will go to war. They do have, in this regard, the Constitution on their side.

Hearings this week in the Judiciary Committee, with some of the eminent constitutional scholars and legal authorities in the country, merely added weight to my own firm conclusion that no President has the authority to initiate war without the approval of Congress.

Let me emphasize that most basic point, Mr. President, that under the Constitution, the President does not have the authority to initiate war without the approval of Congress. To say otherwise would say in this country, the most powerful nation on Earth, a nation of 250 million people, that one person, one person could commit that power to whatever he may wish.

No one person should have such awesome power as to send American men and women to war, perhaps to death or maiming. Our Founding Fathers understood the centrality of this truth in a democracy. They specifically reserved to the Congress the power to declare war.

The President's power is also great, but it is limited to the duty and authority as Commander in Chief, to direct the conduct of war after a declaration of war or other act by Congress.

So in this debate, we, in the Senate, are performing one of the most important responsibilities conferred upon us by the Constitution. We must act. There are perhaps some who wish not to vote one way or the other on this, because there is probably no vote that any Member of Congress will cast in his or her career that will be more remembered by his or her constituents than this one. But we not only duck our responsibility, we violate our oath of upholding the Constitution if we do not vote and if we do not act.

If we hide behind the U.N. resolution, however valuable in uniting the world community, that would be an abrogation of our constitutional obligation.

To take refuge by only voting on a vaguely worded endorsement of the President's actions until now, and no more, is to evade our duty to the American people.

When we talk about the U.N. resolution, that cannot substitute for the Constitution. That resolution was voted on by many countries who will not bear the burden that the United States will. Our Constitution stands supreme to the U.N. resolution or to anything else.

It is often said that Congress likes to criticize, but not to take a clear stand.

I do not want there to be any misunderstanding or any ambiguity about where I stand today. Vermonters, and indeed the American people, have a right to know exactly where I stand as a U.S. Senator on this central issue, so I will state my position: The case for war now has not been made by the President. I see no justification to send young men and women of the United States to war.

Sanctions have not been given an adequate amount of time to undermine Iraqi armed forces or the Saddam Hussein regime. Five months is not long enough to degrade the Iraqi war machine or weaken the economy such that Saddam Hussein might think the cost too great to remain in Kuwait.

We should continue to deploy an adequate American deterrent force in Saudi Arabia during the time sanctions are being applied. These forces are necessary to make credible the option which we retain, an option for the ultimate resort to war.

I will vote against a declaration of war or other kind of congressional authorization of use of force now. Nor am I prepared to support the use of force before sanctions have been applied for a sufficient time to damage Iraq.

I have heard criticisms of views like mine. Critics say that we are undermining the President's diplomacy to make such a credible threat of war that Saddam Hussein will be frightened into withdrawing from Kuwait. They will say the multinational coalition will not hold together for the months or years it might take for sanctions to work. They will argue that the United States cannot afford to maintain the 100,000 or 200,000 troops in Saudi Arabia to preserve the option of force.

Mr. President, I do not accept these arguments. The President can threaten war as part of his diplomacy, but our Constitution gives only to Congress the power to declare war. I will never support or accede to the sacrifice of our democratic principles and the tenets of the Constitution to assist anyone's diplomacy. We are stronger as a nation for democratic debate and adherence to our Constitution. Diplomacy must accommodate itself to the Constitution, not the other way around.

As to the strength of the multinational coalition, either nations share

a substantial interest in unified action against Iraq, and thus will remain committed, or they do not.

Once again, I cannot acquiesce in ignoring the Constitution of the United States in the interests of harmony in the multinational coalition. I see no reason whatever to prevent us from maintaining a credible military option in Saudi Arabia for the foreseeable future.

Mr. President, we kept over a quarter of a million troops in Europe for nearly 40 years to deter Soviet aggression. We have kept troops in South Korea nearly as long; and equally for Japan.

If we determine that it is in the national interest, we can make the financial sacrifices, and we can rotate troops to keep them fresh and their morale high.

It would cost a lot more to carry out a war than to maintain a smaller deterrent force while sanctions are carried out.

But even that, even that is only money. The real savings from waiting is in lives saved.

So let the Senate do its duty. Every Senator should stand up and say clearly where he or she stands, and then we must vote so that we be accountable to the American people, together with the President, for what happens in the Persian Gulf.

Now one final thought: This is perhaps the most important debate that I have been involved with in the 16 years that I have served here in this body. We are debating whether the U.S. troops will be ordered into battle. I have spent an awful lot of time thinking about this. I have read everything I could about it. I appreciated the briefings with the President, the Secretary of State, the Secretary of Defense, and others. I have listened to other Senators, Republicans, and Democrats alike. I grappled personally with the Persian Gulf crisis.

I think perhaps what has been most worthwhile to me are the hundreds and hundreds of Vermonters that I have talked with around our State: conservatives, liberals, and moderates. They come from all walks of life; rich, poor, old, young. And I have come to this conclusion from all of those meetings:

I have no doubt that President Bush wants a peaceful resolution to this conflict. He clearly believes that his policy is the best means to get Saddam Hussein out of Kuwait. But the President and I simply disagree on how best to achieve this.

I have a constitutional obligation to vote the way I feel I should in this. Having spent hours searching my soul, I must conclude that we must be firm and patient. I have concluded that war should not be the first resort; it should be the last resort. Now is not the time for war. I will vote against war.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, first I ask unanimous consent to be added as a co-sponsor of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON. Mr. President, there is a grim mood here in Congress such as I do not recall. When you and I were elected to the House, Mr. President, in 1974, we were already involved in the Vietnam war, but it was being pulled down. And I have not experienced this kind of a mood before in Washington, DC.

We face unprovoked aggression. No question about it. And there is no question in the minds of anyone here that Saddam Hussein and the Iraqi troops have to get out of Kuwait one way or another. The attempt yesterday by the Iraqi Foreign Minister to shift this into some kind of a fight for the Palestinians against Israel is pure public relations hogwash. The Iraqis invaded Kuwait simply out of greed, no question about it, and we have to send a message to Saddam Hussein and to military dictators anywhere: You cannot move in and take over weaker countries.

I might add that is the only reason for being there. The reason of oil, the reason of defending American Values, Job Creation, these other things I hear, they are not adequate reasons for American troops being over there. If Saddam Hussein controlled not only the oil of Iraq and Kuwait, but also Saudi Arabia, he cannot drink that oil; he cannot sit on that oil; he has to sell the oil. So the oil reason just is not a valid reason for being there.

What do we do about seeing that we get Iraqi troops out of Kuwait? There are three options: the diplomatic option, the economic option of sanctions, and the military option.

Let me examine all three, and let me add I think the President of the United States handled the situation superbly up until November 8, 2 days after the election, and I think it is significant that the change in policy came 2 days after the election without, so far as we know, consultation with a single Member of Congress.

On the diplomatic front, what is happening is discouraging. The diplomatic effort to get Iraqi troops out of Kuwait appears to be failing. We hope the Secretary General of the United Nations can be persuasive, but I do not think anyone here is optimistic.

I think two mistakes, however, have been made. And I mention this simply so that we do not repeat mistakes in the future.

No. 1, the President has said: No negotiations.

Mr. President, there are only two options, you negotiate or you have war. John F. Kennedy was right when he said, "Never negotiate out of fear, but

never fear to negotiate." We have to sit down and talk with people to work out solutions.

Now, you do not negotiate away something that is basic, and part of what is basic, for example, is that all Iraqi troops have to get out of Kuwait. But let us not start creating something so that the word "negotiate" looks like a bad word.

Then the second mistake that was made is not giving Saddam some kind of way out, some fig leaf. I think we might disagree on what the fig leaf ought to be. But when you grow up in rural America and live in rural America, you learn something very simple: Do not corner a rattlesnake. Give the rattlesnake a way to get out. And that is what we have to do in the situation over there. But I have to say the diplomatic option looks very, very difficult.

The second option is the economic option, sanctions. This was imposed by the President, and the President and the Secretary of State and the Secretary of Defense appear to have all but given up on this, and I suggest the evidence is pretty overwhelming that this has a chance to succeed if we stick with it. No one can guarantee it. But I think it has a chance.

What are the facts? Well, the facts are that in this century, whenever, through sanctions, the gross national product of any nation has been affected by as much as 3 percent, the policy of that nation has been changed. And prior to this time the most impact we have had on the GNP of any country through sanctions is 16 percent. In the case of Iraq today, so far as we know, it is approximately 50 percent. There is no precedent for this in this century, or as far as I know in any other century until you go back to the Middle Ages. It is powerful.

Two nights ago I talked to the chief executive officer of one of the major corporations of this country that does hundreds of millions of dollars of business overseas, perhaps billions. He said: Does not anyone in the administration realize that you are having a huge impact on the economy of Iraq and that they simply cannot continue if you just hold onto sanctions?

We, apparently, have not recognized that within the administration. And here I have to make an exception. That is the CIA. I do not know how long Judge Webster can stay on as the head of the CIA, but he has delivered a different message to Congress than has the Secretary of State and the Secretary of Defense. The reality is—and this is not classified information and my colleague, Senator MOYNIHAN is going to talk a little bit about why we classify certain information—but they are already rationing bread, sugar, tea, and it is clamping down. Some of the food items have gone up 700 percent. They cannot manufacture tires. Much of their manufacturing plant has dis-

appeared. They cannot get spare parts for their whole military complex. They cannot get spare parts for city buses in Baghdad, and the sanctions have just barely begun.

The question asked the other day on the floor of the Senate by Senator DOLE, the minority leader, is a very basic question. Will Saddam be strengthened or weakened if we just hold onto sanctions? Senator DOLE drew the conclusion that he would be strengthened. I suggest the evidence is overwhelming that he will be weakened, that the military will be weakened. If a year from now we find that sanctions do not work, and we decide on the military option, I suggest we will go against a much weakened opponent.

The two immediate-past Chairmen of the Joint Chiefs of Staff, Admiral Crowe and General Jones, have both suggested we ought to stick with sanctions and not use the military option. Six of the seven living former Secretaries of Defense, serving in both Republican and Democratic administrations, have suggested we ought to stick with sanctions and not use the military option at this point.

I think we ought to be listening to them. Former Secretary of Defense Robert McNamara says that in the next year, if we stick with sanctions, Saddam's military is going to be greatly weakened. Judge Webster, Director of the CIA, has said the same. Do we just ignore this?

I think the administration is making a great mistake in giving up on the sanctions option.

Then the final option is the military option. Senator MITCHELL, in his excellent statement here about an hour ago, said the grave decision for war is being made prematurely. I believe he is correct. Militarily we can win, in terms of what is going to take place. I was over in that area with Senator MITCHELL and a few of my colleagues about 3 weeks ago, and we got the military briefings. There is no question that we can win. How rapidly we can win is certainly an unknown. But it is too easy here, or in the Oval Office, in an anti-septic kind of situation to say we are going to make a decision that will cost thousands of lives, tens of thousands of lives, not just Americans, but Iraqis, and a lot of innocent people.

There will not be the life of a single Senator lost, not the life of a single House Member. But it was interesting in a discussion the other day, our colleague Senator PRYOR said he was in a supermarket and a woman came up to him and said: "Senator PRYOR, you have three sons."

And he said, "That is correct."

And she asked him, "Would you be willing to give up the life of one of those sons to free Kuwait?"

That is where the question ought to rest on us. And it is not only that we



would be willing to give up lives. A retired faculty member from Southern Illinois University, Dave Christiansen said: "Are we willing to kill to free Kuwait? That is part of what must rest on our conscience."

The reality also is—and this is one of the things that hit me when I went over to the Middle East—the situation is vastly more complicated than I realized. It is more complicated in, first of all, the appeal to grass roots Arabs and Moslems Saddam has made. We should not fool ourselves that that is not there, including in the countries where we have troops committed to helping us, and I am talking about Saudi Arabia and Egypt and Syria and the other countries.

But let me give just one other complication. Iraq has missiles aimed at Tel Aviv. Iraq says, and the Foreign Minister reiterated it yesterday, if we launch an attack on Iraq, they are going to send those missiles into Tel Aviv. Israel says she will respond. And who can blame Israel for responding? But to respond Israel has to send those missiles and those planes over Jordan and Syria. And Jordan and Syria have said if Israel sends her missiles and planes over Jordan and Syria, they will consider that an act of war and they will attack Israel.

We can, in addition to the massive loss of lives, have a first-class mess in the Middle East. And who will be suffering the casualties on our side? When Secretary McNamara testified before the Foreign Relations Subcommittee, he said 90 percent of the casualties would be American casualties. I told my staff I thought he was wrong because only two-thirds of the people over there in the Armed Forces are Americans. But when I got over there and got the military briefings, I came away with the feeling that it would be 90 percent at least and perhaps higher.

In the Foreign Relations Committee the other day, Senator SARBANES pointed out that in Korea, where we had more participation from others, from the Canadians, from the Turks, from the Australians, and others, 95 percent of the deaths outside of South Korea were American deaths; 90 percent of those wounded were Americans. We are 6 percent of the world's population. Why, in resisting aggression—and we should resist aggression—should we assume more than 90 percent of the casualties? I do not think there is any justification for that.

What if we win? Nobody seems to ask that question. What if we win? We will win, but what does this do to the United States afterward?

No. 1, in the minds of a great many people in the Muslim world, not just the Arab world, the Muslim world, it is the United States versus the Muslim world. It is going to diminish our ability to be an effective diplomatic voice

in much of the world, and particularly in the Middle East.

The lessons of history, I suggest, and I just finished reading a book by John Eisenhower, the son of the late President, on the Mexican War, the lesson of history is that we too easily in a manner of patriotic fervor get into wars and cause all kinds of needless casualties. Let us learn from history.

It is going to be costly. I think a rough estimate is a billion dollars a day if we get involved. That is money that adds to the deficit, or is taken away from education and health care and other great needs.

Finally, Mr. President, when Senator MITCHELL and our small group came back from the Middle East after visiting Saudi Arabia, Egypt, and Israel, we met later that day with the President for more than an hour and had a good discussion. I applaud the President for meeting with us. The President said, "Finally, let me just give you this final message," and he particularly looked at Senator MITCHELL and me as he said this. He said, "Let me give you this final message. If we use the military, we can make the United Nations a really meaningful effective voice for peace and stability in the future."

I said, "Mr. President, can I give you a 30-second response? If Libya invades Chad, you are not going to send 400,000 troops. What you would be willing to do, and what other nations would be willing to do, is to vote sanctions. If we stick with sanctions, and the sanctions work, then we have a mechanism that the community of nations can use again and again and again, and it is a shared burden."

Yes, for example, India where our colleague, Senator MOYNIHAN, served as Ambassador is hurting. They voted for sanctions. They are hurting because of what is happening to the price of oil, but they are hurting, and so are virtually all nations hurting because of this. Sanctions is a burden that is shared uniformly.

I do hope that this Senate, instead of rushing in a moment of fervor and passion into a decision, I hope we will look at the lessons of history. I hope we will have what President Eisenhower called "the courage of patience." That is what we need today, and I hope we have the good sense to have that courage.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all let me thank Senator SIMON for his very eloquent statement. Mr. President, I ask unanimous consent to have my name included in support of the Mitchell-Nunn resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

## WAR MEANS DEATH AND DESTRUCTION

Mr. WELLSTONE. Mr. President, this is not the speech that I wanted to give. I rise to speak in this Chamber for the first time with a very heavy heart. I wanted my first speech to be about children and education, and health care, and a credible energy policy and the environment.

I never thought that the first time I would have an opportunity to speak in this Chamber the topic would be such a grave topic: Life and death, whether or not to go to war, to ask America's men and women, so many of them so young, to risk life and limb, to unleash a tremendous destructive power on a foreign country and a faraway people.

This is the most momentous decision that any political leader would ever have to make, and decide we must. Let no one doubt that the Congress has the responsibility to make this decision. The Constitution is unambiguous on this point. Congress declares the war, not the President.

Mr. President, I give no ground to any of my colleagues in my condemnation of Saddam Hussein. It is a bedrock principle of world order that no country has the right to go in and swallow up another country, and that is why I supported the President's policy at the beginning, a policy that I think the President has abandoned.

It was such a successful policy. The economic sanctions were working, rallying the international community, isolating Saddam Hussein and, most important of all, I believe the initial policy was well on its way to prove the point that we can respond to aggression without the slaughter that modern-day warfare brings. Mass slaughter. I mean to say just that, Mr. President.

War means death and destruction, and there are some in this Chamber who may believe that this truth is so obvious that it need not be said. I think it needs to be said over and over again.

I have observed this debate and it seems to me that all too often in the theorizing about strategy and politics, it is forgotten what war means in human terms: The terrible loss of life, broken dreams, broken lives, broken families. I will tell my colleagues something, Mr. President, the fathers and mothers of young men and women from Minnesota who are now in the Persian Gulf have not forgotten what war means in personal terms, and we must not forget either.

Town meeting after town meeting after town meeting citizens would stand up, quite often a Vietnam vet, point a finger at me and say: "Senator, how many of the Senator's children are in the Persian Gulf?"

And I would respond this way. I would say: I'm the son of a Jewish immigrant from the Soviet Union, and if I believe Saddam Hussein was a Hitler

and that we must go to war now to stop him, if I believe we must do that for the defense of our country or the defense of this world, I am a citizen in this world, then as much as I could hardly stand the thought, I could accept the loss of life of one of my children, ages 25, 21, and 18. I would rather it be me, but I could accept the loss of their life. But this is the truth. I could not accept the loss of life of any of our children in the Persian Gulf right now, and that tells me that in my gut I do not believe that it is time to go to war. I do not believe the administration has made this case to go to war, and if I apply this standard to my children, then I have to apply this standard to everyone's children. I have to apply this standard to all of God's children.

President Bush appears to be on the verge of making a terrible mistake that will have tragic consequences for the whole world. Life is so precious.

War is an option that one pursues when all other options have been tried. We have not given sanctions a chance. The policies that I am afraid the administration is pursuing, the rush to war that I am afraid is so much a part of what is now happening in our country and in the world will not create a new order, Mr. President. It will create a new world disorder. What kind of victory will it be, what kind of victory will it be if we unleash forces of fanaticism in the Middle East and a chronically unstable region becomes even more unstable, further jeopardizing Israel's security?

We are the ones, as my colleagues have said so well, who will pay the largest part of the price with loss of life. What does it mean? What kind of victory will it be if we shoulder this responsibility, if the alliance fractures and if there is an explosion of anti-American fury throughout the Arab world, accompanied by widespread violence and terrorism, what kind of victory will that be?

What kind of victory will it be if our already fragile economy is fractured? Whatever happened to the war on poverty, the war against drugs, the war against illiteracy, the war to make sure our citizens do not go without adequate health care? Whatever happened to the war against the poison of the air and land and the water? What kind of victory will it be if we are so paralyzed economically we cannot deal with any of these pressing domestic needs? What kind of victory will it be if our country, a country I love dearly, is torn apart again? What kind of victory will it be if tens of thousands of people die in the Persian Gulf, so many of them—and I need to state this point carefully because I mean no disrespect—so many of them disproportionately men and women of color, low and moderate income? What kind of victory will this be? Some causes are worth fighting for. This cause is not

worth fighting for right now. We must stay the course of economic sanctions, continue the pressure, continue the squeeze, move forward on the diplomatic front, and, Mr. President, we must not rush to war. Very large and long-term interests of our country and the world are at stake in the decision we are about to make. Our options are not simply war or appeasement.

I very much resent any discussion which suggests that anybody who says, as I am saying today, that we must not rush to war is in any way, shape or form talking about appeasement. Negotiations are not appeasement. Every diplomat knows this. Our options are not simply war or peace. We have an opportunity to stay the course with sanctions, and we have an opportunity in the international community to show that there is a new way to respond to aggression, where conflicts can be resolved without resorting to war. It is too early to give up on that approach.

It is the mark of a great nation that it has the patience and the conviction to pursue its highest goals. We stand on the brink of catastrophe if we allow domestic politics, self-imposed deadlines, or military logistics to rush us into a war that no one wants and a war that even in victory will so severely damage our national interests. An agenda for war has been laid out. It is time to develop an agenda for peace.

I leave you, Mr. President, with a wonderful Hebrew word, *tikkum*. It means to understand and to heal and to transform the world.

Thank you very much.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SIMON). The Senator from New York.

Mr. MOYNIHAN. Mr. President, it falls to me to have the very special honor and pleasure to welcome the Senator from Minnesota not simply to our Chamber but to our deliberations. We have heard a voice of passion, conviction, and understanding that will be with us a very long while, and we are all very pleased to have him here.

Mr. HARKIN. Will the Senator yield?

Mr. MOYNIHAN. I am happy to yield.

Mr. HARKIN. I thank the Senator for yielding. I want to join my distinguished friend from New York in complimenting our friend from Minnesota. I have just entered my second term, and in the three different elections I have been sent here I have heard a number of first speeches on the floor of the Senate, but in that brief time I have not heard any speech more eloquent, more thoughtful, and more laced with true passion and insight into what confronts us now than the speech just given by the distinguished Senator from Minnesota. He has truly made a maiden speech on the Senate floor that will serve him and this body well as he continues to represent the

fine State of Minnesota. I compliment him for a great speech.

Mr. WELLSTONE. I thank the Senator.

Mr. HARKIN. I thank the distinguished Senator for yielding.

AN ABRUPT CHANGE IN OUR POLICY

Mr. MOYNIHAN. Mr. President, I would note that we are now well into the afternoon. We have heard a series of able presentations that began with the majority leader, most recently the memorable maiden speech of the Senator from Minnesota, and we have not heard a word in opposition to the joint resolution before us.

May I ask unanimous consent that my name be added to the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Indeed, Mr. President, it is simply the fact that there is not a single Senator present on the other side of the aisle. We have not heard differing views, and the Senator from New York does not have the power to summon Senators.

I see now the Senator from Pennsylvania, and would like to record that there is now a most distinguished Senator from the other side.

Mr. President, a continued theme in our discussion today has been, what happened to a Presidential policy which had the complete support of this body, of this country, as late as October? What was the sudden change which produced the grave concerns that bring us to the floor in what is, in effect, a special session of the 102d Congress? On the 28th or thereabouts of September the Senate adopted by a vote of 96 to 3 a concurrent resolution introduced by Mr. MITCHELL, for himself, Mr. DOLE, and others of us, in which, taking note of the Iraqi invasion of Kuwait, we resolved that the goals the President had set forth were our goals. We stated in the second paragraph of the Resolved clauses, that Congress approves the actions taken by the President in support of these goals, including the involvement of the United Nations and friendly governments; that Congress supports continued action by the President in accordance with the decisions of the Security Council and in accordance with the United States constitutional and statutory processes, including the authorization and appropriation of funds by the Congress, to deter Iraqi aggression and to protect American lives and vital interests in the region. The vote was 96 to 3.

How did it come about that we are here on the Senate floor talking of war, talking of war in a region where the massed forces on either side are larger than any such encounter since the Second World War? A million armed men and women divided by a line in the sand facing the prospect of hideous encounters, all of which arises in the



aftermath of the invasion by one small Third World country of another smaller Third World country.

(Mr. ADAMS assumed the chair.)

Mr. MOYNIHAN. In one of those countries the indigenous population was compounded by about 4 times by immigrant laborers brought in as servants. Both of them wealthy countries since a Stanford professor in 1938 discovered the Arabian oil dome. Suddenly the wealth appeared—but otherwise these are not very important countries.

Senator SIMON was kind enough to mention that I was once Ambassador to India. That part of the world was not unconnected to the Middle East. It had once been governed by the British from New Delhi. Some 7,000 people managed the area.

Iraq as such is an artifact of the Treaty of Sevres which ended the First World War with Turkey and the allies in 1920. The precise borders of Iraq were drawn in a tent in 1925 by a British colonial official.

I was also, if I may just say, once our Ambassador to the United Nations. I remember Kuwait at the United Nations as a particularly poisonous enemy of the United States. One can be an antagonist of the United States in a way that leaves room for further discussions afterwards. But the Kuwaitis were singularly nasty. Their anti-Semitism was at the level of the personally loathsome when Resolution 3379 equating Zionism with racism passed the General Assembly. The Kuwaitis were conspicuously poisonous.

By contrast, the Iraqis were very recently said to be our friends by this, our administration. Last summer the Committee on Foreign Relations held hearings on Iraq. My colleague, Senator D'AMATO, pointed out the particularly outrageous behavior of the Iraqi Government with respect to the use of poison gas, the repression of the Kurds, and so forth. Senator PELL, the distinguished chairman of the Committee on Foreign Relations, reported from the committee the Iraq International Law Compliance Act of 1990. It contained a list of specific violations of international law by Iraq.

Our findings were that the Government of Iraq had systematically detained, tortured and executed thousands of its own citizens. The Government of Iraq had destroyed more than 3,000 villages and towns in the Kurdish regions of Iraq. Iraq had used chemical weapons on an extensive scale against its Kurdish citizens resulting in tens of thousands of deaths.

Amnesty International has documented extensive violations of human rights by the Government of Iraq, including the torture and murder of children as a means of punishing their parents. Iraq has blatantly violated international law in initiating use of chemical weapons in the Iran-Iraq war and

against Kurdish citizens. Iraq has failed to ratify the Convention of Biological Weapons. The committee found, therefore, that Iraq had engaged in a consistent pattern of gross violations of internationally recognized human rights and disregard for international law.

We said, that being the case, we will not any longer subsidize sales of agricultural products to Iraq. This matter came to the floor, and we learned from the other side of the aisle, from the distinguished Senator from Indiana, that the State Department "opposes the virtual total economic embargo of Iraq which would result from this amendment."

It is odd. That was July 26—7 days before Iraq invaded Kuwait. This crisis involves Kuwait, a particularly nasty little regime given to poisonous anti-American, anti-Semitic pronouncements, and Iraq who we were subsidizing with food imports only 7 days before the invasion. And when Senator PELL said here is a country that has been outrageous—poison, murder, mayhem, violation of human rights, violation of international law—the State Department says "Do not touch them, do not bother with them. We are against the measure."

Well the measure passed. Eventually the State Department managed to see that it did not become law. But it passed the Senate.

Here are two countries, neither of them very attractive: Kuwait openly contemptuous of and hostile to the United States; Iraq the beneficiary of the United States.

Suddenly, on behalf of Kuwait and in opposition to Iraq we have seen the largest array of armed forces since the Second World War. We see the President declaring that he has the right to send those forces into battle, independently of any judgment of the Senate.

How could this happen in the first post-cold-war crisis?

#### A RETURN TO COLD WAR THINKING

I would like to suggest, Mr. President, and I hope this might help us think about the subject, that the way in which the President initially proceeded obtained the universal support of the country and the Senate. Suddenly, however, there was an institutional lurch back into the manner and mode of the cold war.

It has been with us so long, we do not know how to act differently. We have not acquired the instincts, the institutions, the institutional memories, to do other than what we have been doing during the cold war. We know nothing else. That is what happened on November 8—2 days after the election—that suddenly lurched us into a cold war mode.

It happens, Mr. President, that last November, the Committee on Foreign Relations held a series of hearings on the subject "After the Cold War." We

examined changes in the American Government which have taken place over the long struggle with totalitarianism which emerged, really, from the First World War. As Judith Sklar has written, "1914 is, after all, when it all began."

From 1914 to 1989, there was a 75-year "war" which inevitably changed attitudes and institutions. In our hearings we were looking at the attitudes and institutions that had changed, and the ways in which they did. I chaired the hearings, so I took the opportunity to organize our inquiry around an extraordinary speech which Woodrow Wilson gave in St. Louis, MO, on September 5, 1919. It was on that trip around the country, pleading for public support to influence the Senate to consent to the ratification of the Treaty of Versailles which contained the League of Nations covenant. Wilson was asking for that support. He was 20 days from Pueblo, CO, where he would collapse. It would be, in effect, the end of his Presidency.

I see the Senator representing St. Louis is on the floor, and I think the senior Senator from Missouri would recognize that Wilson's remarks had about them the quality of prophecy: It was the end of his life. He was trying to tell America what he would leave behind him, what would happen if we did not establish a world order where there was law, where there were procedures, where peace was enforced. And if we did not, what would come instead.

He said, "Very well, then. If we must stand apart and be the hostile rivals of the rest of the world, we must do something else: We must be physically ready for anything to come. We must have a great standing army. We must see to it that every man in America is trained in arms, and we must see to it that there are munitions and guns enough for an army. And that means a mobilized nation; that they are not only laid up in store, but that they are kept up to date; that they are ready to use tomorrow; that we are a nation in arms."

Then he said, "What would a nation in arms be? Well, you know, you have to think of the President of the United States not as the chief counselor of the Nation, elected for a little while, but as the man meant constantly and every day to be Commander in Chief of the Army and Navy of the United States, ready to order it to any part of the world with a threat of war, as a menace to his own people."

Then he said, "And you can't do that under free debate; you can't do that under public counsel. Plans must be kept secret. Knowledge must be accumulated by a system which we have condemned, because we called it a spying system. The more polite call it a system of intelligence."

Then he went on a little further to say, in effect, how this world would

shape itself up into one of continuing crises. And so, Mr. President, in that speech in St. Louis, which, as I say, had a prophetic quality which haunts one to this day, Woodrow Wilson said that we would see the emergence of a system of Government in which the President had become Commander in Chief, head of the Armed Forces. That did happen. And nothing is more extraordinary evidence of it having happened than the assertions we have heard in the past month after the lurching from a defensive, deterrent position, which we responded to very well, into an offensive position on November 8. This was a decision reached in secret. It suddenly turned what had been a collective security operation with the complete support of the country and the world into an offensive, military crisis situation.

Wilson's prediction in action: The President as Commander in Chief, secretly moving in an atmosphere of ongoing, permanent, Orwellian crisis, asserting that this is entirely in his own hands. The President told a press conference on November 30, when asked, "What do you think your responsibilities are to Congress and the people that elect them," he said, "Full consultation." Nothing more. When asked on December 28 by David Frost, "Don't you need an authorization from Congress, in effect, for war?" He said, "We have used military force 200 times in history. I think there have been five declarations of war." In effect, he claimed that he did not need congressional support to do what, clearly, the Constitution requires of him.

This is an idea—that Congress decides whether to go to war—that simply eroded in the cold war with the prospect of nuclear confrontation, permitting no time for reflection and consultation. The New York Times wrote this morning, very ably, I think, that Congress' constitutional warmaking authority fell into disuse during the cold war, so much that we can scarcely even remember the number of times that we have declared war. There is a notion that we declared war once during World War II. We declared war three times against six different countries in one form or another.

In the aftermath of the cold war, what we find is a kind of time warp in which we are acting in an old mode in response to a new situation.

I find it extraordinary, for example, that the President should so personalize the encounter with this particular thug in Baghdad: The most recent thug in Baghdad, not the last by any means. There will be others. It is in that mode of which we are in a bipolar, permanent crisis with the enemy. It used to be totalitarian, Leninist, communism. Without a moment's pause almost, we shifted the enemy to this person at the head of this insignificant, flawed country whose boundaries were drawn in

1925 in a tent by an English colonial official, an artifact of the Treaty of Sevres.

I said without pause. You might come back and say, "No, there was an interval."

Among other things that got lost in the cold war, along with the congressional responsibilities and authority with regard to armed conflict, the idea of international law got lost in the fog of the cold war as well. When we came to the Senate floor 7 days before the invasion of Kuwait with the Iraq International Compliance Act of 1990, the State Department was against it. The State Department had no concerns. We could list a series of solemn treaties' obligations which had been violated by a country we were supporting. All we asked was to stop subsidizing them.

Then came the invasion. Then came one of the most extraordinary reversions to an earlier mode I think any of us have seen in the Presidency. International law as an idea has almost disappeared from the vocabulary of American Presidents. Suddenly with the invasion of Kuwait and the summoning of the Security Council, it appears in every other sentence. The President gave a press conference at the end of August in which he used the term "international law" six times in 15 minutes, about equaling the total record of the previous 30 years or the like, as best memory serves.

We did seek to use the U.N. Charter system. We began in a manner as hopeful as any time since the establishment of the United Nations in 1945. Chapter VII of the charter has a very clearly graduated series of responses to aggression. We went to the Security Council. For the first time in the history of the United Nations all of the permanent members agreed that an egregious act of aggression had happened.

What are the qualities of that aggression, Mr. President? It is a post-cold-war quality that an army crossed a border and absorbed another country. The characteristic conflict of the cold war was that one side or the other would mount internal opposition to a given regime and you would have civil war, proxy wars, but no actual armies crossing borders. While there was an internal ideological struggle between the free world and the Communist world, the struggle took the form of subversion and the like. Certainly for a period there the Marxists had forces—sometimes military forces, sometimes political forces—in every major country in the world. To try to activate them was their technique rather than rolling into a country. When they finally did invade Afghanistan, that was the end of their expansion.

In any event, at the end of the cold war, you did in fact see almost immediately the reappearance of an old mode of aggression, which is an army crossing borders and absorbing a neigh-

bor. The United Nations was designed to deal with that since the Second World War started with the Soviet and the Nazi forces crossing the Polish border and annihilating that country. An army crossed borders. Here was such a case, and the response was admirable. We paid a little bit here and there for it, but we got it.

As to the response of the embargo, in the first sentence, there has never been an opportunity for economic sanctions of this kind to work equal to the Iraq situation. They have one export, a product not in short supply in the world, and they import about two-thirds of their food.

They even import their currency. Mr. President, here is a dinar. It is a handsome piece of currency. It is printed in London. The Iraqis do not have the technology to print their own paper money. The dollar bill, which is high-quality paper currency, lasts about 18 months. In fact, this will not last about that long. Pretty soon there will not be any more paper currency left in Iraq. Just start there. We could print up a lot and drop it from airplanes and cause chaos that way. The options are infinite with respect to a country as isolated as this.

Why could we not just stay with that policy? I suggest it was because it was too new to us, even though it was a policy we had put in place in the sense that the U.N. Charter is largely an American document. The idea of collective security is certainly an American idea. The institution has its headquarters in New York City. We were following the collective security mode and suddenly lurched out of it. Suddenly, from a situation where the world was defending a small country that had been attacked by a larger neighbor, we switched to a situation where the United States had engaged a major Islamic country in a countdown to Armageddon.

Mr. President, that is a kind of madness where we are living in an earlier world and acting in ways that have no relevance to the situation of the moment. We are not in an international crisis in the sense that events that took place on August 2 necessitate the confrontation of the largest set of armed forces since World War II. Nothing large happened. A nasty little country invaded a littler but just as nasty country. They have their avowed virtues, I do not doubt. There has not been much virtue on display internationally in either case. And the United States shares with the other nations of the world an interest in the resolution of the crisis, principally to establish the fact that the U.N. Charter is an international standard that will be enforced.

The world will not be particularly different after Iraq leaves Kuwait, which it will do. It will not be any better, or it will be better to the extent



only that we will have established that the international community will enforce the Charter. In the aftermath of the cold war that has become possible.

So, Mr. President, all we are saying on this side of the aisle, and I hope we will hear it from the other side of the aisle, is this: Why can we not continue the President's policy of August, September, and October? That was a policy appropriate to a small disturbance in a distant part of the world where there are interests involved because that part of the world exports oil to Japan and sends oil to Europe. There is an important international interest in maintaining the standards of the Charter. Fine. But not World War III. Is it not clear, Mr. President, that we did not have World War III? It did not happen.

Suddenly our institutions are acting as if to say, "Oh, my God, we missed World War III. Maybe we can have it now here. Not there but here." Mr. President, that borders on the edge of the disturbed. Dr. Strangelove, where are you now that we need you?

This is so unnecessary. With what unanimity in this body the President would be supported if he simply drew back to the defensive positions of the period up to November 8 before his announcement a secretly planned escalation to an offensive mode.

Mr. President, our armies have been on the Rhine for 45 years. That is the stuff of Roman legions. We are still in Panmunjom. We have a naval force with some land-based facilities in the gulf since the Second World War. Twelve months will pass, 18 months will pass, life will go on. And we will not have the wrenching constitutional crisis that will come about if the President launches a massive use of our Armed Forces in a distant region of the world without a specific declaration of war by Congress.

I conclude, Mr. President, simply pleading to the President. He will have that constitutional crisis regardless of the outcome of the conflict. The primacy of Congress on this issue under the Constitution will have been denied just at that moment when it would seem possible to return to what was once the normal conduct of foreign affairs by the President and the Congress of the United States.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania, I believe, was here first. All four Senators were on their feet at the same time, calling at the same time, and I did my best to hear which one did so first. I, therefore, recognize the Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair. I have been here since 10 o'clock this morning and awaited some of the speeches in support of the resolution,

until the distinguished Senator from New York noted the absence of any arguments to the contrary and the absence of any Republican Senator. I had stepped into the Cloakroom for a moment for a bite of chicken salad and rushed right back out here, right back out.

Mr. WARNER. Mr. President, I wonder if the Senator will yield to the Senator from Virginia, just for about 2½ minutes to make what I think is an important statement, directing the attention of Senators to the availability of a document?

Mr. SPECTER. I will, Mr. President, for that limited period of time, with unanimous consent that I not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia is recognized.

Mr. WARNER. I thank my distinguished colleague. Mr. President, the Director—and I repeat—the Director of the Central Intelligence Agency, Mr. Webster, has forwarded a letter to the chairman of the House Armed Services Committee which gives his most current views with respect to the issue of sanctions.

The distinguished majority leader as well as two other Senators today have stressed the importance of the economic embargo; that is, sanctions, as they relate to the decision process that led to, presumably, this document that is the proposed joint resolution offered by the majority party. I think all Senators should avail themselves as soon as possible of a copy of this letter which I shall make available here in the Chamber. And that also the leadership of the Senate should consider making available to Senators, the same briefing that was given to Members of the Intelligence Committee of which I am a Member, and others—the distinguished Senators here on the floor with me from Missouri and Pennsylvania. We were there yesterday. I think that briefing together with an examination of this document will help greatly to explain the current status of our senior intelligence advisor to the President with respect to sanctions.

The bottom line as he states is:

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period.

Mr. President, I ask unanimous consent that the entire letter be printed at this point in the RECORD, and I thank my colleague from Pennsylvania for allowing me to speak.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

# CENTRAL INTELLIGENCE AGENCY,

Washington, DC, January 10, 1991.

Hon. LES ASPIN,  
Chairman, Committee on Foreign Affairs, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is in response to your letter of January 9, 1991, in which you ask for an updated assessment of the impact of sanctions on Iraq and on the policies of Saddam Hussein subsequent to my testimony before your committee in December. In that testimony, as you accurately noted, I observed that the sanctions were effective technically and that they were being felt economically and eventually would be felt militarily in some areas. I also testified that there was no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait.

You now ask me to: (1) address the impact of the sanctions on the economy and populace of Iraq and on the operational effectiveness of its military if left in place for another six to 12 months; (2) address the question of how Iraq's defensive abilities might be affected by the sanctions on the one hand and by having additional time to prepare on the other if sanctions are allowed to work for another six to 12 months; and (3) address the likelihood that sanctions, again if left in place for another six to 12 months, could induce Iraq to withdraw from Kuwait.

UN sanctions have shut off nearly all Iraq's trade and financial activity and weakened its economy, but disruptions in most sectors are not serious yet. The impact of sanctions has varied by sector. The most serious impact so far has been on the financial sector, where hard currency shortages have led Baghdad to take a variety of unusual steps to conserve or raise even small amounts of foreign exchange. For the populace, the most serious impact has been inflation.

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next six to 12 months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period. Iraq's infantry and artillery forces—the key elements of Iraq's initial defense—probably would not suffer significantly as a result of sanctions. Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength. Iraq's armored and mechanized forces will be degraded somewhat from continued sanctions. The number of inoperable Iraqi armored and other vehicles will grow gradually and the readiness of their crews will decline as Baghdad is forced to curb its training activities. Iraq has large stocks of spare parts and other supplies, however, which will ameliorate the effect of these problems. On balance, the marginal decline of combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications. While the military, especially the army, has been protected from the impact of sanctions by stockpiling and minimal usage, during a military action the impact would be more profound as equipment and needed parts are expended.

Iraq's Air Force and air defenses are likely to be hit far more severely than its Army, if

effective sanctions are maintained for another six to 12 months. This degradation will diminish Iraq's ability to defend its strategic assets from air attack and reduce its ability to conduct similar attacks on its neighbors. It would have only a marginal impact on Saddam's ability to hold Kuwait and southern Iraq. The Iraqi Air Force is not likely to play a major role in any battle for Kuwait.

In December, during my appearance before the House Armed Services Committee, I noted that while we can look ahead several months and predict the gradual deterioration of the Iraqi economy, it is more difficult to assess how or when these conditions will cause Saddam to modify his behavior. Our judgment remains that, even if sanctions continue to be enforced for an additional six to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq. The economic impact of sanctions is likely to be increasingly serious, with conspicuous hardships and dislocations. Nevertheless, Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions, especially if the threat of war recedes significantly. He probably continues to believe that Iraq can endure sanctions longer than the international coalition will hold and hopes that avoiding war will buy him time to negotiate a settlement more favorable to him.

We have seen little hard evidence to suggest that Saddam is politically threatened by the current hardships endured by the populace. Moreover, Saddam has taken few actions that would indicate he is concerned about the stability of his regime. Assessing the populace's flash point is difficult, but we believe it is high because Iraqis have borne considerable hardship in the past. During its eight-year war with Iran, for example, Iraq endured a combination of economic difficulties, very high casualties, and repeated missile and air attacks on major cities without any serious public disturbances.

Sincerely,

WILLIAM H. WEBSTER,  
Director of Central Intelligence.

Mr. SARBANES. If the Senator would yield for a unanimous-consent request without losing his right to the floor?

Mr. SPECTER. I will.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland.

Mr. SARBANES. Mr. President, there is always the danger as you get close to the concert everyone starts singing from the same song sheet. I ask unanimous consent to have printed in the RECORD immediately after the insertion of the Senator from Virginia the testimony which the Director of the Central Intelligence Agency gave in public session, on the 5th of December.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HEARING OF THE HOUSE ARMED SERVICES  
COMMITTEE

PERSIAN GULF CRISIS

Chaired by: Representative Les Aspin.  
Witness: William Webster, Director, CIA.  
December 5, 1990.

Mr. WEBSTER. Now, I appreciate the opportunity to address this Committee on what

the intelligence community believes the sanctions have already accomplished and what we believe the sanctions are likely to accomplish over time. Of course, sanctions are only one type of pressure being applied on Iraq, and their impact cannot be completely distinguished from the combined impact of military, diplomatic and economic initiatives in Iraq. At the technical level, economic sanctions and the embargo against Iraq have put Saddam Hussein on notice that he is isolated from the world community and have dealt a serious blow to the Iraq economy.

More than 100 countries are supporting the UN resolutions that impose economic sanctions on Iraq. Coupled with the US government's increased ability to detect and follow-up attempts to circumvent the blockade, the sanctions have all but shut off Iraq's exports and reduced imports to less than 10 percent of their pre-invasion level. All sectors of the Iraq economy are feeling the pinch of sanctions and many industries have largely shut down. Most importantly, the blockade had eliminated any hope Baghdad had of cashing in on higher oil prices or its seizure of Kuwaiti oil fields.

Despite mounting disruptions and hardships resulting from sanctions, Saddam apparently believes that he can outlast international resolve to maintain those sanctions. We see no indication that Saddam is concerned at this point that domestic discontent is growing to levels that may threaten his regime or that problems resulting from the sanctions are causing him to rethink his policy on Kuwait. The Iraqi people have experienced considerable deprivation in the past. Given the brutal nature of the Iraqi security services, the population is not likely to oppose Saddam openly. Our judgment has been and continues to be that there is no assurance of guarantee that economic hardships will compel Saddam to change his policies or lead to internal unrest that would threaten his regime. Now, let me take a few minutes to review briefly with you some of the information that led us to these conclusions as well as to prevent our assessment of the likely impact of sanctions over the coming months.

The blockade and embargo have worked more effectively than Saddam probably expected. More than 90 percent of imports and 90 percent of exports have been shut off. Although there is smuggling across Iraq's borders, it is extremely small relative to Iraq's pre-crisis trade. Iraqi efforts to break sanctions have thus far been largely unsuccessful. What little leakage has occurred is due largely to a relatively small number of private firms acting independently. And we believe that most countries are actively enforcing the sanctions and plan to continue doing so.

Industry appears to be the hardest hit so far. Many firms are finding it difficult to cope with the departure of foreign workers and with the cutoff of imported industrial inputs, which comprised nearly 60 percent of Iraq's total imports prior to the invasion. These shortages have either shut down or severely curtailed production by a variety of industries, including many light industrial and assembly plants as well as the country's only tire manufacturing plant.

Despite these shut downs, the most vital industries, including electric power generation and refining, do not yet appear to be threatened. We believe they will be able to function for some time because domestic consumption has been reduced, because Iraqi and Kuwait facilities have been cannibalized,

and because some stockpiles and surpluses already existed. The cutoff of Iraq's oil exports and success of sanctions have also choked off Baghdad's financial resources. This too has been more effective and more complete than Saddam probably expected.

In fact, we believe that a lack of foreign exchange will in time be Iraq's greatest economic difficulty. The embargo has deprived Baghdad of roughly \$1.5 billion of foreign exchange earnings monthly. We have no evidence that Iraq has significantly augmented the limited foreign exchange reserves to which it still has access. And as a result, Baghdad is working to conserve foreign exchange, and to devise alternative methods to finance imports.

We believe Baghdad's actions to forestall shortages of food stocks, including rationing, encouraging smuggling and promoting agricultural production are adequate for the next several months. The fall harvest of fruits and vegetables is injecting new supplies into the market, and will provide a psychological as well as tangible respite for mounting pressures. The Iraqi population in general has access to sufficient staple foods. Other food stocks, still not rationed, also remain available. However, the variety is diminishing and prices are sharply inflated. For example, sugar purchased on the open market at the official exchange rate went from \$32 per 50 kilogram bag in August, to \$580 per bag last month. Baghdad remains concerned about its foodstocks, and continues to try to extend stocks and increasingly to divert supplies to the military.

In late November, Baghdad cut civilian rations for the second time since the rationing program began while announcing increases in rations for military personnel and their families. So on balance, the embargo has increased the economic hardships facing the average Iraqi. In order to supplement their rations, Iraqis must turn to the black market where most goods can be purchased but at highly inflated prices. They are forced to spend considerable amounts of time searching for reasonably priced food, or waiting in lines for bread and other rationed items.

In addition, services ranging from medical care to sanitation have been curtailed. But these hardships are easier for Iraqis to endure than the combination of economic distress, high casualty rates and repeated missile and air attacks that Iraqis lived with during the eight year Iran-Iraq War.

During this war, incidentally, there was not a single significant public disturbance, even though casualties hit 2.3 percent of the total Iraqi population. About the same as the percentage of U.S. casualties during the Civil War.

Looking ahead, the economic picture changes somewhat. We expect Baghdad's foreign exchange reserves to become extremely tight, leaving it little cash left with which to entice potential sanctions' busters. At current rates of depletion, we estimate Iraq will have nearly depleted its available foreign exchange reserves by next spring.

Able to obtain even a few key imports, Iraq's economic problems will begin to multiply as Baghdad is forced to gradually shut down growing numbers of facilities in order to keep critical activities functioning as long as possible. Economic conditions will be noticeably worse and Baghdad will find allocating scarce resources a significantly more difficult task. Probably only energy related and some military industries will still be functioning by next spring. This will almost certainly be the case by next summer. Baghdad will try to keep basic services such as electric power from deteriorating.



The regime will also try to insulate critical military industries to prevent an erosion of military preparedness. Nonetheless, reduced rations coupled with rapid inflation and little additional support from the government will compound the economic pressures facing most Iraqis.

By next spring Iraqis will have made major changes in their diets. Poultry, which is a staple of the Iraqi diet, will not be available. Unless Iraq receives humanitarian food aid or unless smuggling increases, some critical commodities such as sugar and edible oils will be in short supply. Distribution problems are likely to create localized shortages. But, we expect that Baghdad will be able to maintain grain consumption, mainly wheat, barley, and rice, at about two-thirds of last year's level until the next harvest in May.

The spring grain and vegetable harvest will again augment food stocks, although only temporarily. To boost next year's food production, Baghdad has raised prices, paid the farmers for their produce, and decreed that farmers must cultivate all available land. Nonetheless, Iraq does not have the capability to become self-sufficient in food production by next year.

Weather is the critical variable in grain production, and even if it is good, Iraqis will be able to produce less than half the grain they need. In addition, Iraq's vegetable production next year may be less than normal because of its inability to obtain seed stock from abroad. Iraq had obtained seed from the United States, the Netherlands, and France.

Although sanctions are hurting Iraq's civilian economy, they are affecting the Iraqi military only at the margins. Iraq's fairly static defensive posture will reduce wear and tear on the military equipment and, as a result, extend the life of its inventory of spare parts and maintenance items.

Under non-combat conditions, Iraq ground and air forces can probably maintain near-current levels of readiness for as long as nine months. We expect the Iraqi air force to feel the effects of sanctions more quickly and to a greater degree than the Iraqi ground forces because of its greater reliance on high technology and foreign equipment and technicians. Major repairs to sophisticated aircraft like the F-1 will be achieved with significant difficulty, if at all, because of the exodus of foreign technicians. Iraqi technicians, however, should be able to maintain current levels of aircraft sorties for three to six months.

The Iraqi ground forces are more immune to sanctions. Before the invasion, Baghdad maintained large inventories of basic military supplies, such as ammunition, and supplies probably remain adequate. The embargo will eventually hurt Iraqi armor by preventing the replacement of old fire control systems and creating shortages of additives for various critical lubricants. Shortages will also affect Iraqi cargo trucks over time.

Mr. Chairman, while we can look ahead several months and predict the gradual deterioration of the Iraqi economy, it is more difficult to assess how or when these conditions will cause Saddam to modify his behavior. At present, Saddam almost certainly assumes that he is coping effectively with the sanctions. He appears confident in the ability of his security services to contain potential discontent, and we do not believe he is troubled by the hardships Iraqis will be forced to endure. Saddam's willingness to sit tight and try to outlast the sanctions, or in the alternative, to avoid war by withdrawing from Kuwait, will be determined by his total assessment of the political, economic and military pressures arrayed against him.

Thank you, Mr. Chairman.

Mr. SARBANES. Mr. President, I note that predates the Senator's insertion. But I think it will be helpful for the benefit of contrast.

This is Director Webster's statement before a committee on the House side. He leads it off " \* \* \* address this committee on what the intelligence community believes the sanctions have already accomplished and what we believe the sanctions are likely to accomplish over time."

That is why I asked unanimous consent that this statement of the Director, given in open session before the committee went into closed session for purposes of questioning—so this was open testimony reported in the press and generally—and carried on the media and generally available to the public—be printed in the RECORD immediately after the insertion of the Senator from Virginia.

The PRESIDING OFFICER. Without objection, it was so ordered. It will be included in the RECORD following the remarks of the Senator from Virginia. The Senator from Pennsylvania has the floor.

Mr. MOYNIHAN. Will the Senator from Pennsylvania allow me a comment for 30 seconds?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SPECTER. I will allow a comment for 30 seconds by my colleague from New York, again if there is unanimous consent I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, the distinguished Senator from Virginia has just provided an example of exactly what I just spoke about, namely, the secrecy system. "If you knew what we know, you would understand why we are doing what we are doing. But we cannot tell you because it is secret. The briefing is secret."

I was at that briefing, and I will not disclose what I learned about the price of cooking oil in Baghdad. That is a "secret."

Mr. President, that is a cold war mode. We have lurched into it, we do not even recognize it, because it became so normal to us that we do not even see it is different. I thank the Senator.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SPECTER. Mr. President, my colleague from Missouri has a request I yield again on the understanding I retain my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Missouri.

Mr. DANFORTH. Mr. President, it is my understanding that there has been no effort to try to sequence speakers. My assumption is that nearly 100 Senators will want to speak sometime dur-

ing the next few days. It is simply a battle for the floor. If you happen to eat a chicken sandwich, as Senator SPECTER pointed out, you might lose the possibility to speak for 4 or 5 hours.

Mr. President, far be it for me to try to suggest how the floor should be managed, but I will suggest that. It would be my suggestion that the managers of this matter maintain a list and that the order of speaking be alternated between the majority and the minority.

The PRESIDING OFFICER. The Chair will state to the Senator from Missouri that there is presently no matter pending on the floor that has managers. Therefore, the Chair is in the position of following the basic Senate rule of recognizing the first Senator who seeks recognition, not just by standing but by demanding recognition and, therefore, the Chair, nor any manager at this moment, since there is no unanimous-consent request, has the power to do anything other than recognize those who stand.

The Senator is correct. It may be that he would have to wait some period of time. I know I will have a problem, and I will try to overcome that, of a number standing at the same time. I just happen to feel the Senator from Pennsylvania had spoken up first. I know he had been here a long time. There is no effort to try to either control, keep a list or in any way alter the rules of the Senate. I hope the Senator might consult with the leadership on both sides, and I am hopeful we will have a unanimous-consent request; we will have a more orderly managed system, but I am not capable of producing it at this moment. I hope the Senator understands.

Mr. DANFORTH. Mr. President, I ask unanimous consent that the speakers then be alternated by party.

Mr. SARBANES. Mr. President, I object. If that is to be done, it should be done in consultation with the leadership to make a decision. I appreciate the Senator thinking that is the best way to proceed and it may, in fact, be the best way to proceed, but I think that setting up that procedure ought to come after more consultation with the leadership.

The PRESIDING OFFICER. Objection is heard. The Senator from Pennsylvania has the floor.

Mr. BIDEN. Will the Senator yield for 10 seconds?

Mr. SPECTER. Again, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. BIDEN. Mr. President, I make a point to my friend from Missouri. Thus far, the way it has been done, there has been no alternating because there has only been one Republican seeking to speak. Two, each of us have come in

and saying to each other, "Are you next?" I do not think there is any Senator who has been called on before someone who has been here first. So I would say publicly I was here before my colleague and the others. I hope I go next and I hope they go to my colleague after that. I just make that point.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

COMMENTS CONCERNING A SENATE JOINT RESOLUTION

Mr. SPECTER. Mr. President, while there is no specific resolution pending, this debate started today after the distinguished majority leader filed at the desk for printing a Senate joint resolution which is as yet not complete. It is the joint resolution which was laid down by the distinguished majority leader which has provided the bulk of the framing of the issue today. I would like to address myself preliminarily to the position set forth by the distinguished majority leader and by others in support of the joint resolution.

There has been an effort to portray this joint resolution as having large areas of agreement with that President Bush has asked for and only narrow areas of disagreement. I submit that there is an enormous difference between the Mitchell resolution and what President Bush has asked for.

The distinguished majority leader said there is no disagreement on goals; there is no disagreement that Iraq must leave Kuwait. The senior Senator from Georgia, Senator NUNN, said there is only one limited question; that is, how we go about it. But the fact of the matter is that the crux of the discussion is whether the President will be authorized to use force pursuant to U.N. Resolution 678 or whether the Congress will deny him that authority. Already, the U.N. Security Council, with all of its divergent points of view has come to agreement as to how we go about it.

So I think the first point that has to be recognized emphatically is that there is an enormous difference between what Senator MITCHELL's resolution proposes and what President Bush has asked for.

The distinguished majority leader contended that there is no evidence that sanctions are not working. He said in the substance of his speech that there has been "no explanation in the shift from sanctions to war." Then, a little later in Senator MITCHELL's speech, he said "that administration officials have said that sanctions are not working."

At a later point, he quoted the briefing conducted by Secretary of State Baker and Secretary of Defense Cheney which occurred last Thursday afternoon, which this Senator attended in its entirety. Senator MITCHELL made the representation that there was contention by Secretary Baker or Sec-

retary Cheney that sanctions have failed but only that the administration cannot guarantee that sanctions will work.

I respectfully disagree with what the distinguished majority leader describes as the conclusions or the representations of the Secretary of State and the Secretary of Defense. I submit that a fair reading of their statements in briefing the Senate was that the Sanctions are not working. We have just had the introduction of the letter—

Mr. SARBANES. Will the Senator yield on that point?

Mr. SPECTER. No, I do not, but I will be glad to take it up at the conclusion of my statement. I have yielded enough.

Mr. SARBANES. I will certainly wait until the conclusion of the Senator's statement but I must say—

Mr. SPECTER. I would like to continue with my presentation, and I will be glad to yield when I finish my statement.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SPECTER. As I way saying, Mr. President, there is a conclusion by the administration that sanctions are not working. There may be a disagreement on that, but I think it ought to be recognized that this is the position of the President and this is the position of the administration.

I offer one comment on information which has been brought to me just recently by one of the ex-hostages who was held in Kuwait, a man named Christopher Folsom from Doylestown, PA, who was in Kuwait on August 2 and who was later taken to Iraq on September 23. Mr. Folsom, having been in Iraq and having seen some of the stores there and having some firsthand knowledge, makes a very forceful representation that the sanctions are not working.

I further call the attention of the Senate to a representation made by a group of former American hostages from Kuwait, some 30 in number. They make a number of points, but I shall limit my current presentation to simply one, and that is that sanctions are having little impact on Iraq.

I ask unanimous consent, Mr. President, that this single sheet, both sides, be printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. Mr. President, the third issue that I would address with respect to the Mitchell resolution is that I believe it is late in the day, frankly, too late in the day, for the Congress meaningfully to disagree with the President's request and the content of U.N. Resolution 678.

Had I my preference, I would not have opted for a January 15 date, and I would have given sanctions more of an

opportunity to work. However, I believe as a matter of U.S. policy that we are well beyond that alternative.

The U.N. resolution was enacted on November 29, 1990. The Members of the Senate and the House had ample notice of what was being accomplished with the establishment of January 15 as a deadline for Iraqi withdrawal. The Congress of the United States has taken no action. It is only today, 5 days before January 15, that the Congress is finally beginning.

Mr. President, even a week ago today, when the new Senate was sworn in, there was no assurance that the Senate or the House would address this issue in advance of January 15.

I wrote to the majority leader last month and made the point I thought the Senate and the House should be assembled to vote, up or down, on authorization for use of force.

I ask unanimous consent again at the conclusion of my remarks that a copy of that letter appear in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SPECTER. We know that when the distinguished Senator from Iowa [Mr. HARKIN] and the distinguished Senator from Washington [Mr. ADAMS] pressed to have a date for Senate action a week ago today, that none was forthcoming. Now, at the very last moment in a very complex process, there is a resolution which is being offered which guts, eliminates the thrust of U.N. Resolution 678.

It is my judgment, Mr. President, that if the Congress of the United States does not back the President and the Congress of the United States does not back Resolution 678, then our leadership in the coalition will fail completely, the sanctions will disintegrate, and the coalition will disintegrate. We are much past the point of changing U.S. or U.N. policy in this important respect.

I say that, Mr. President, because even as we speak there is no assurance that the Senate will vote on any resolution before January 15. There has not even been the scheduling of this matter in a timely way so that, if the Senate is faced with a filibuster, cloture could be filed, if that was the will of the Senate, and a vote would occur in advance of January 15. It seems to this Senator that we are very, very late in the day to be stepping forward and articulating the fundamental disagreement with the U.N. resolution and with what the President has requested.

When the distinguished majority leader made his final point—and it is a very telling point and it is a very difficult point to deal with—he said that if we do not employ sanctions, we will be faced with the question: did soldiers, sailors, fighting men and women die unnecessarily because we did not follow through with the sanctions?



There has been a direct answer to that issue by the administration, by President Bush, who has said that he believes if we do not act now, more will die.

It is my view, again repeating, that my preferences would have been contrary to current policy in a number of important respects. However, if we do not follow through at this stage, if Iraq does not withdraw voluntarily from Kuwait, and if the U.N. resolution does not proceed, we will be building a more powerful Iraq, and we will be fighting this war at another day and in a more destructive way with greater loss of life, American lives.

That, Mr. President, brings me to what I consider to be a core of disagreement as to what is the best way to avoid war at this time. I personally remain hopeful that war will be avoided. But it seems to me that the best way to avoid a war is to put Iraq squarely on notice, with very strong support by the Congress for the U.N. resolution and the President, that we mean business and we are prepared to fight.

We wonder about the state of mind of Saddam Hussein. We wonder if he is a madman. Mr. President, I submit that he is not. Senator SHELBY and I had an opportunity to visit for an hour and 20 minutes with President Saddam Hussein just about a year ago today. I found him very poorly informed about U.S. policy, very poorly informed about Western attitudes. He did not have an understanding about our attitude toward the problems of the Mideast. However, he was certainly no madman.

There was later another Senate delegation of Senator DOLE, Senator METZENBAUM, Senator MCCLURE, Senator MURKOWSKI, and Senator SIMPSON. Those Senators also had a discussion with President Saddam Hussein and concluded that he was not a madman.

We wonder what is his calculation. It seems to me that if the current course is followed and force is used, President Saddam Hussein will lose his country. But he must have some other calculation. He may have a calculation of involving Israel in a war to destroy the coalition by forcing the Arabs to fight the Israelis. Or, what he may really have in mind, and it is obviously speculative to try to figure out what is in President Saddam Hussein's mind, is the activity of the U.S. Congress.

If we unequivocally put Iraq and its President on notice of our intentions by a very solid vote, it is my judgment that we will have an excellent chance to avoid that war.

As we have looked over the activities of the Senate and as we have seen the debate which has been undertaken, it is obviously a matter subject to great misunderstanding by Iraq and President Saddam Hussein about what our processes are.

I believe that the value of our democratic system and our open debate is worth every bit of the cost and more. If Iraq and its leaders do not understand this, then that is regrettable.

We have an opportunity to come to a conclusion by Saturday, as the majority leader has articulated a wish or proposed a schedule. If we can conclude our debate, we can put Iraq and President Saddam Hussein squarely on notice that there is unity.

This is the most important vote or series of votes that anybody in the House or Senate will ever be called upon to cast. And it is really hard to focus on the fact that in a so-called civilized 20th-century society the world is now on the brink of a calculated, premeditated, thought-out war. It seems inaccurate to say that there could be any such thing as a thought-out war because of the inconsistency on its face to equate thinking with killing in a war. But that is what the world faces at this moment.

We have a countdown to war which is unprecedented in human history. We have seen such countdowns in James Bond movies and other fictional accounts where we know that the hero will pull the fuse, perhaps with only a single second remaining to avoid the catastrophe. And we are looking at that situation at the present time.

We had our Secretary of State eyeball to eyeball yesterday in Geneva with Foreign Minister Aziz of Iraq. When the distinguished Senator from New York, Mr. MOYNIHAN, says that there is no international crisis, I have to disagree with him very strongly. We have an international organization banding together with collective force authorizing military action. We have a Foreign Minister of a major power refusing even to accept a letter from the President of the United States so that his President can read the letter. We have the most speedy answer to any question asked a Foreign Minister, Tariq Aziz, yesterday, when he was asked whether Iraq would attack Israel. He said, "Yes, absolutely; yes."

That is the height of an international crisis, Mr. President, as I see it. And we have a unique opportunity at this time in history, where for decades and really for centuries there has been discussion of collective security so that the peaceful nations of the world would band together to stop would-be aggressors. And for the first time in history, we have an international organization, the United Nations, which has come forward with such a proposal for collective action.

There has been a discussion today about the inadequacy of the burdensharing by other countries. That point was made by the distinguished majority leader. I agree with him that the burdensharing has not been adequate.

It seems that the United States has been called on in the last 46 years, in the last 50 years, really—perhaps more than that—to do more than our share. We face the alternative, Mr. President, that either we do it or it does not get done. We have made a calculation to do it because it is so important that it is accomplished.

There have been some difficult votes in the Congress in the course of the last 10 years where we have appropriated tremendous sums of money for national defense. But at a time when the emergency arose, the United States was able to project power to the Mideast in an historical fashion. We are the primary mover.

It is not accurate that the coalition and the others have done nothing. I will not take the time now to put the details before the Senate, but I ask unanimous consent that these documents be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

The SPEAKER. These documents show that there are some 32 nations which have made contributions to the coalition forces; that while the United States has the largest body, in excess or approaching 400,000 as of December 12, there were more than 200,000 troops from other nations. There has been financial contributions as well. Again, Mr. President, not nearly enough, but this is a unique coalition where other nations have done something.

The distinguished Senator from Illinois [Mr. SIMON] said in his presentation that if a year from now we find that sanctions do not work, then we will have a much weaker opponent. Yet, what will we have a year from now in terms of a coalition? What will we have in terms of our own strength? My own assessment is that we can maintain our strength even if we were to wait a substantial period of time. But there is no assurance that the coalition will be relatively stronger than Iraq if a year is to pass.

The critical point, in conclusion, is that if the Congress of the United States does not back the American President as the U.N. Security Council has, then our leadership will disintegrate. I believe there is every expectation that the sanctions which require international cooperation will collapse because of the lack of confidence in the United States, which would be fully warranted if there is this fundamental disagreement between the President and the Congress. Simply, the coalition will collapse.

So we face a very difficult judgment. It is the heaviest of responsibilities for a Member of this body, for any Member of the Congress, to vote for the use of Armed Forces where we have more than 1 million people involved, more than 600,000 on our side and almost

that many on the other side. We know there will be attendant deaths and attendant casualties. It is a very, very heavy responsibility.

Again, although my preference would have been to have done things a little differently, to give economic sanctions more time to work, not to have had a deadline, right now we face that deadline in 5 days. And by far the preferable course of action is to support the President and to back the U.N. resolutions.

The greatest power of government is to involve its people in war. The impending congressional decision on the President's request for authority to use force in the Persian Gulf will be the most important vote to date for Members of the House and Senate—perhaps the most important vote in our Nation's history.

It is the heaviest of all responsibilities to send 400,000 U.S. service men and women and 250,000 soldiers from other coalition countries into combat with the expected deaths and casualties. The United Nations, the United States, Members of Congress, and people all over the world have been pondering and praying over this issue for 5½ months.

The Persian Gulf has been the principal topic of my own open house/town meetings and high school speeches in Pennsylvania since last August. There is much uncertainty among the people about what our national policy should be. When I ask constituents for a show of hands as to whether Iraq should be ousted from Kuwait, virtually every hand in the room is raised. When I ask if the United States should go to war to reach that objective, far fewer hands are raised. Emotions run high, including discussions within my own family. My younger son sharply questions what my attitude would be if he or his brother were among our forces in Saudi Arabia.

After listening to my constituents, discussing the issues with many people from diverse backgrounds, and reflecting on the consequences, I have decided to support the President's request for authority to use force in support of U.N. Resolution 678.

My vote must be cast based on the current situation even though I would have preferred a different strategy in the past. I agreed with the President's decision to send our forces to Saudi Arabia and applauded the administration's diplomatic achievements in securing the series of U.N. resolutions.

I would have preferred to give economic sanctions more time to work and would not have set the January 15 deadline, but the President's discretionary decisions to the contrary were reasonable. His decision that the economic sanctions would not force Iraq's withdrawal and the coalition could not be held together for a significantly longer period may well be right. In any event, our Constitution gives the Presi-

dent the leadership role and, at this juncture, I am convinced that the best course is to grant his request for these reasons:

I. THE BEST PROSPECT FOR AVOIDING WAR IS TO BE PREPARED TO FIGHT, SAY SO, MEAN IT, AND DO IT IF IRAQ DOES NOT WITHDRAW FROM KUWAIT BY THE ESTABLISHED DEADLINE

Historically, the United States has not done a good job diplomatically in the Arab world, and we have not communicated effectively with President Saddam Hussein and Iraq. In connection with my duties on the Intelligence Committee and Appropriations Foreign Operations Subcommittee, I have traveled extensively in the Mideast, with two visits to Iraq, including a January 1990 meeting with President Saddam Hussein.

For approximately 1 hour and 20 minutes, Senator SHELBY and I had a useful discussion with him on a broad range of Mideast and world problems. We found him not well-informed on U.S. policies and expectations but certainly not a madman. It is conceivable, although uncertain, that the present situation could have been avoided had we established an extended dialogue and a different relationship with Iraq in the past.

It is easy for President Saddam Hussein to misunderstand the congressional and other public discussions on U.S. policy in the Persian Gulf. Without considerable understanding of our democratic processes, he could easily misunderstand our disagreements on prospective policies and the controversy on constitutional authority to authorize the use of force. But this debate is an indispensable part of our democracy and is well worth whatever President Saddam Hussein may think about our lack of will and unity. Since Iraq's invasion of Kuwait on August 2, there has been too much U.S. rhetoric with too much sword rattling and too many threats. We should say simply to Iraq and its President: Comply with the U.N. resolution on withdrawal from Kuwait or the necessary force will be used to compel that withdrawal.

In the forthcoming congressional vote, we will have an opportunity to inform Iraq and its President of our unity and our will. No one can say with certainty what his response will be; however, in my judgment, our best chance to avoid war is to communicate succinctly to President Saddam Hussein the congressional backing of the President's stated intention to use force unless there is compliance with U.N. Resolution 678.

II. IF THE CONGRESS REFUSES THE PRESIDENT'S REQUEST, IT IS HIGHLY PROBABLE THAT THE ECONOMIC SANCTIONS WILL FAIL AND THE COALITION WILL DISINTEGRATE

As noted earlier, my position would have been to give more time to economic sanctions without setting the January 15 deadline. Nonetheless, the

President may well be right that the economic sanctions would not force Iraq from Kuwait and the coalition could not be kept together long enough for the economic sanctions, or any other alternative short of force, to be effective.

In the current context, if the Congress fails to support the President, it is to be expected that our allies will have little confidence in U.S. leadership and the coalition and the economic sanctions will crumble.

III. IF IRAQ FLOUTS U.N. RESOLUTION 678 AND IT IS NOT ENFORCED, WE LIKELY WILL FACE A MORE DESTRUCTIVE WAR AT A LATER DATE

If Iraq ignores U.N. Resolution 678 and the Congress prevents enforcement of that resolution, Iraq will be emboldened to take further aggressive action. Ultimately, we will have to fight a stronger Iraq, perhaps without allies. Even if Iraq withdraws from Kuwait, we will face the very serious issue of defanging Iraq's military forces, but the failure to enforce U.N. Resolution 678 will drastically compound Iraq's threat to the region and the world.

In addition to Iraq's threat to peace, the failure of U.N. Resolution 678 would be an obvious inducement to other would-be aggressors worldwide.

U.N. Resolution 678 is an unprecedented international achievement which holds the realistic prospect for a new world order if it is obeyed and/or enforced. For decades—even centuries—collective security has been viewed as the way to stop aggression and guarantee the peace. If U.N. Resolution 678 succeeds in reversing Iraq's aggression against Kuwait, a unique precedent will have been established. If U.N. Resolution 678 fails because Congress refuses to back the President, we will be encouraging Iraq and others to commit aggression in the future and would miss a unique opportunity to promote world peace.

#### EXHIBIT 1

#### FORMER UNITED STATES HOSTAGES IN KUWAIT, WASHINGTON DELEGATION

Name	City	State	Profession
Mr. Miles Hoffman	Columbus	Georgia	Financial analyst.
Mr. Walter Thomas	Holiday	Florida	Field engineer.
Mr. Paul Kreuzman	Arlington	Massachusetts	Architect.
Mr. Pawlowski	do	do	Interior designer.
Mrs. Ingrid Pawlowski	do	do	do
Mr. Keaton Woods	Phoenix	Arizona	Hotel general manager.
Mr. Randal Warren	Charleston	Missouri	Project manager.
Mr. Jerry Willis	Gulfport	Maine	Logistics advisor.
Mrs. Debby Willis	do	do	Attorney.
Mr. Guy Seago	Johnson City	Tennessee	System engineer.
Mrs. Betty Seago	do	do	Housewife.
Mr. Bennie Mitchell	Sandia	Texas	Engineer.
Mrs. Jocelyn Mitchell	do	do	Housewife.
Mr. Larry O'Connell	Hampton	Virginia	Aircraft mechanic.
Mrs. Deborah Abdul Hadi	Louisville	Kentucky	Librarian.
Ms. Shirley Coffman	Hurst	Texas	Manager, bank.
Mr. Todd Davis	Banning	California	Manager, bank.
Mr. Joe Lammerding	Rancho Cordova	do	Metrology engineer.
Dr. Manfred Hoffmann	McKinney	Texas	VP, human resources.
Mrs. Barbara Hoffmann	do	do	Teacher.



# FORMER UNITED STATES HOSTAGES IN KUWAIT, WASHINGTON DELEGATION—Continued

Name	City	State	Profession
Ms. Mary Rindzius	Burbank	California	Projects manager.
Mr. Ernest W. Alexander	Media	Pennsylvania	Attorney.
Mr. Christopher Folsom	Doylstown	do	Site superintendent.
Mrs. Betty Folsom	do	do	Housewife.
Mr. Cecil P. Brown	Atlanta	Georgia	Systems consultant.
Dr. Robert Morris	Boston	Massachusetts	Dental consultant.
Mr. William Van Ry	Fort Collins	Colorado	Manager, bank.
Mr. George Daher	Murrysville	Pennsylvania	Landscape architect.
Mr. Antonio Mireles	Annapolis	Virginia	Engineer.
Mrs. Eleanor Mireles	do	do	Teacher.
Mrs. Maria Mireles	do	do	Student.

## FORMER AMERICAN HOSTAGES FROM KUWAIT, WASHINGTON DELEGATION OVERVIEW

A delegation of former American hostages from Kuwait is visiting Washington from January 4-15 to express its concerns about the continuing crisis in the Gulf. The 30-member delegation will meet with Congressional and Administration leaders to share their first-hand insights into conditions on the ground in Iraq and Kuwait. With the United Nations' deadline of January 15 fast approaching, their visit is particularly timely.

While the delegation is not in a position to speak for all former hostages in Kuwait or Iraq, the group is a representative sampling of Americans who were held as "human shields," those who evaded capture by the Iraqis, and those who were evacuated to the United States. The bipartisan delegation is ethnically diverse and made up of U.S. citizens from all walks of life. Despite their markedly different backgrounds and experiences, delegation members are in full agreement on these points:

U.S. policy toward the Gulf must concentrate on America's long-term interests there, beginning with full implementation of the U.N. resolutions regarding Iraq's aggression against Kuwait.

All observations indicate that Saddam Hussein has no intention of quitting Kuwait voluntarily.

Sanctions are having little impact on Iraq. Iraq is systematically strangling Kuwait and terrorizing the Kuwaiti people.

Since August, Kuwaitis have put their lives on the line time and again to protect Americans.

Morale is low within Iraq's occupation forces, who appear poorly prepared for war.

Together as a group for the first time since their release from Iraq and Kuwait, delegation members are uniquely qualified to provide "insider" accounts of Kuwaiti resourcefulness, Iraqi troops' brutality, and the steady deterioration in the quality of life in Kuwait.

The delegation can be contacted at (202) 393-4205 or (202) 628-2100. Their fax is (202) 393-4261.

### EXHIBIT 2

U.S. SENATE,  
Washington, DC, December 20, 1990.

HON. GEORGE MITCHELL,  
Majority Leader, U.S. Senate, Washington, DC.

DEAR GEORGE: I urge you to use your authority as the Majority Leader to convene a special session so that Congress may vote up or down on authorizing the President to act to implement U.N. Resolution 678.

Beyond the great importance of the vote on this substantive issue, by taking no ac-

tion in the current context of the Persian Gulf situation, this Congress and its leaders will significantly erode, if not extinguish, the Congress' constitutional authority to declare war and concede to the President virtual total authority to involve the U.S. in war, even in the absence of an emergency, under his constitutional authority as Commander in Chief.

Sincerely,

ARLEN SPECTER.

### EXHIBIT 3

#### VI. INVOLVEMENT OF OTHER NATIONS

##### Military deployments by other nations

Saudi Arabia's armed forces include 65,700 troops, 550 tanks, 179 combat aircraft, and over 400 artillery weapons. These forces have been augmented by a combined force provided by the Gulf Cooperation Council—made up of Saudi Arabia, Kuwait, Bahrain, Oman, United Arab Emirates, and Qatar—of 10,000 active duty and reserve personnel and up to 7,000 Kuwait soldiers who escaped after the invasion.

Since the initial deployment of U.S. forces to the Persian Gulf on August 7, several nations have announced their intention to send military personnel and equipment to the region. As of December 12, more than 200,000 troops had been deployed by these nations. Below is the status of these deployments.

##### Arab Nations

Egypt: 24,000 troops; additional 15,000 troops, including 2 mechanized infantry divisions, currently being deployed.

Turkey: 2 squadrons of F-16 aircraft; 35,000 additional troops moved to southern border with Iraq bringing total deployed there to 95,000.

Morocco: 1,700 troops.

Syria: 4,000 troops, and an armored division of 12,000 troops and 250 tanks deployed.

##### European Nations

France: 6,250 ground troops; 13 naval vessels (6 frigates, 3 destroyers, 4 supply ships); 34 Mirage fighter jets; several additional combat aircraft; and additional 4,000 troops, 40 Tanks, and an unspecified number of Mirage jets pledged.

Britain: 9,000 ground troops with 120 tanks; 11 naval vessels (1 destroyer, 2 frigates, 3 mine hunters, 1 command ship, 4 supply ships); 3 squadrons of Tornado jets; 1 Squadron of Jaguar jets; 3 Nimrod maritime patrol aircraft; 4 tanker aircraft.

West Germany: 3 mine hunters, 2 mine-sweepers, and 1 tender to the eastern Mediterranean Sea to replace U.S. ships sent to the Persian Gulf; 10 Fuchs vehicles designed to test the air for chemical warfare agents; transportation offered for U.S. forces.

Netherlands: 2 naval vessels (frigates).

Belgium: 4 naval vessels (2 minesweepers, 1 frigate, 1 support ship); 4 transport aircraft.

Italy: 3 naval vessels (frigates); 1 squadron of Tornado jets.

Greece: 1 naval vessel (frigate).

Spain: 3 naval vessels (1 frigate, 2 corvettes).

Portugal: 1 naval vessel (supply ship).

Norway: Supply and sealift ships pledged.

Denmark: 1 naval vessel (corvette); sealift ships pledged.

Czechoslovakia: 3 anti-chemical weapons units with 370 personnel.

Poland: 1 hospital ship.

Bulgaria: 1 unit of army engineers pledged.

##### Others

Canada: 3 naval vessels (2 destroyers, 1 supply ship); 1 squadron of CF-18 fighter jets, 12 transport aircraft; 500 support personnel.

Australia: 3 naval vessels (1 frigate, 1 destroyer, 1 supply ship).

Pakistan: 4,000 troops and 5,000 military advisors and technicians.

Bangladesh: 3,000 troops; 2,000 more troops pledged.

Argentina: 2 naval vessels (1 frigate, 1 destroyer); 2 transport aircraft.

Senegal: 500 troops.

Niger: Unspecified forces.

Afghan Mujahideen: 2,000 troops pledged, if transportation can be provided.

The Soviet Union has maintained two guided missile destroyers in the Persian Gulf region since before Iraq's invasion of Kuwait. These ships have not taken part in the international naval interdiction effort. Soviet officials have indicated that the USSR would consider contributing military forces to a U.N.-controlled multinational force in the Persian Gulf, but would not participate in military action otherwise.

Egyptian and Syrian military commanders have announced that their forces will contribute to the defense of Saudi Arabia but will not participate in any offensive military action against Iraq.

Prime Minister Toshiki Kaifu of Japan proposed sending a force composed of approximately 1,000 Japanese military personnel and civilian volunteers to the Persian Gulf, in order to support the multinational effort against Iraq. However, due to parliamentary and public opposition, this proposal was not considered by the Japanese parliament before it adjourned for the year on November 10.

##### Financial contributions by other nations

Other nations have made commitments to support the multinational effort against Iraq by pledging financial support totaling \$20 billion. Financial contributions have generally taken three forms: cash or in-kind contributions to the multinational force in Saudi Arabia, economic assistance to nations adversely affected by the U.N. sanctions (especially Egypt, Turkey, and Jordan), and aid to refugees attempting to leave Iraq. Many of the pledges to the multinational force came after Secretary of State James Baker and Secretary of the Treasury Nicholas Brady met with leaders of Asian, European, and Middle Eastern nations in early September. Further pledges of financial support are anticipated. Below is the latest status of these contributions (as of December 12).

##### Arab Nations

Saudi Arabia: \$12 billion pledged for all in-country costs for U.S. troops and aircraft in Saudi Arabia. U.S. deployment costs, payments to front-line states, and assistance to defray the cost of Egypt's and Syria's military deployments.

Kuwait: \$5 billion in 1990 including \$2.5 for U.S. deployment costs; \$2.5 billion for front-line states.

United Arab Emirates: Unspecified amount to support multinational force deployment and the front-line states (possibly \$1 billion).

##### European Nations

EEC: \$2 billion to countries adversely affected by the U.N. sanctions, including emergency aid for refugees.

Britain: Unspecified financial assistance to countries affected by the U.N. sanctions; over \$10 million to international organizations for refugee aid.

West Germany: \$2 billion, including \$1 billion for transportation and financial aid to the U.S. military deployment and \$1 billion for economic assistance to Egypt (\$650 mil-

lion), Jordan (\$130 million cash contribution), and Turkey.

Italy: \$145 million (type of assistance and recipients unspecified).

France: \$106 million, including \$48 million for Egypt, \$29 million for Turkey, and \$29 million for Morocco.

Netherlands: \$2.6 million for the repatriation of Asian refugees in Jordan.

#### Other Nations

Japan: \$4.023 billion, including \$2 billion in economic assistance to states in the region (Egypt, Turkey and Jordan will receive \$600 million in emergency assistance). \$2 billion in logistical support for the multinational force. \$22 million for refugees \$675,000 worth of humanitarian assistance to Jordan (tents, pharmaceuticals, blankets, etc.).

South Korea: \$220 million, including \$35 million for the multinational force and \$125 million for economic assistance.

On December 12, press reports indicated that the U.S. Government plans to ask its allies in the Persian Gulf to provide \$4 to \$5 billion in 1991 for Jordan, Egypt, and Turkey to compensate for losses to these countries due to the crisis.

#### Defense cooperation account

In legislation providing FY 1990 supplemental appropriations for Operation Desert Shield (H.J. Res. 655), Congress established the Defense Cooperation Account, through which foreign governments and individuals could contribute funds to support U.S. military operations in the Persian Gulf region. Major donors of funds and in-kind contributions are listed below.

TABLE 2.—OPERATION DESERT SHIELD CONTRIBUTIONS  
(In millions of dollars)

Contributor	Cash received (as of Nov. 30)	In-kind assistance received (as of Oct. 31)	Total
Saudia Arabia .....	760	227	987
Kuwait .....	2,250	3	2,253
United Arab Emirates .....	250	30	280
Japan .....	375	50	425
Germany .....	272	65	337
South Korea .....	0	4	4
Total .....	3,908	379	4,287

Mr. SARBANES. Will the Senator yield, as he indicated earlier he would? I was prompted to ask the Senator to yield by a recollection he had of a closed briefing involving Members of the Senate and the Secretary of State and the Secretary of Defense which led him to question the statement made by the majority leader in his address earlier to us in this body.

The majority leader said, and I quote him, in response to my direct question just a few days ago: "Both the Secretary of State and the Secretary of Defense acknowledge that sanctions have not failed."

I say to the Senator, I was at that meeting. I was literally only a few feet from the two Secretaries and the majority leader.

Mr. SPECTER. So was I.

Mr. SARBANES. We were both there. It was my distinct recollection that the majority leader put that question to the Secretary, whether they were saying that the sanctions had failed. They indicated that is not what they

were saying; that they were not saying that.

They indicated that they could not guarantee that the sanctions would work. That is a different question. The majority leader, in fact, had gone on and made the point that is what they indicated.

So I only rise to take issue with the questioning of the Senator of the majority leader's statement as to the nature of that meeting, and the questions and answers which were quoted.

Mr. SPECTER. By way of reply, my statement is that a fair reading of what Secretary of State Baker and Secretary of Defense Cheney had to say was that the sanctions were failing. The use of sanctions was not a course which was calculated to produce results; that they were not going to produce that result.

Mr. SARBANES. The majority leader asked them.

Mr. SPECTER. If the sanctions were working, and of course this is tied into the coalition which has to support the sanctions, then I think there would have been a different conclusion by the President and his administration.

Mr. SARBANES. Does the Senator question the accuracy of the majority leader's report of that question-and-answer session?

Mr. SPECTER. I do. I believe that a fair reading of what Secretary of State Baker and Secretary of Defense Cheney said was that the sanctions were not working.

Mr. SARBANES. No, no. The question that was put, and which the majority leader reported, was whether the sanctions had failed. He asked them whether they were saying that the sanctions had failed, and they said, no, they were not saying that, but they went on to say that they could not guarantee that the sanctions would work. That is exactly what the majority leader has said in his statement. I was at that meeting.

The Senator may want to differ with the substance of the conclusion, but I do not think he ought to take the floor and cast a doubt over a factual report of the question-and-answer session. As one Senator, if that is what the Senator intends to do, I have taken the floor to make the point that I have a very definite and distinct recollection contrary to the one the Senator from Pennsylvania has asserted here on the floor of the Senate.

Mr. SPECTER. I was present myself. When the Senator says the Senator should not take the floor and disagree with what the majority leader has said, how does that apply to the Senator from Maryland taking the floor and disagreeing with what the Senator from Pennsylvania has said? I believe that any of us is privileged to take the floor and express our views as to what we believe are facts, as well as what we believe are contentions.

My statement was that Secretary Baker and Secretary Cheney said that the sanctions were not working, that that was a fair reading of what they were saying. The Senator from Maryland then rises and says, "No, no," they said the sanctions were not failing. But when you change the wording, "the sanctions are not failing," from my statement, which is that a fair reading of their representations was that the sanctions were not working, that is what I think they said. I think it is bolstered by the fact that they have abandoned the sanctions.

Jim Baker, Dick Cheney, and George Bush do not want to go to war any more than you or I do. They have chosen a course to use force, or to have that option, because the sanctions are not working. That is their conclusion. The Secretary of State and the Secretary of Defense were there for 2 1/4 hours. I was there from the minute it started until the minute it ended. And, I repeat, a fair reading of what they said was that the sanctions were not working.

The PRESIDING OFFICER (Mr. DODD). Who seeks recognition?

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I yield 30 seconds to the Senator from Maryland.

Mr. SARBANES. Mr. President, I will simply close on this point. The Senator from Pennsylvania, as I understood him, and I listened very carefully when he spoke, casts doubt on the majority leader's assertion that in that closed briefing when he put a question to the two Secretaries when they were saying that the sanctions had failed and they said—I am quoting the majority leader—"In response to my direct question just a few days ago, both the Secretary of State and the Secretary of Defense acknowledged the sanctions have not failed." That was a direct question that he put to them, and that was their response.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. I had the floor. I yielded for 30 seconds. Would the Senator like 30 seconds? I ask unanimous consent that I may yield for 30 seconds to the Senator from Iowa without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, again, I was hoping we might get into these kinds of colloquies on the floor. I know Senators want to give their speeches and express their views on this issue, but I hope that we will have enough time to be able to engage in these kinds of colloquies on the Senate floor to ferret out information that is false or inaccurate, or whatever, and correct the record, that sort of thing.



I want to respond to a couple of things that the distinguished Senator from Pennsylvania said, for whom I have the greatest respect.

Mr. DANFORTH. Mr. President, a parliamentary inquiry. Who has the floor?

The PRESIDING OFFICER. The Senator from Delaware.

Mr. DANFORTH. I object to the Senator from Iowa making speeches on the time of the Senator from Delaware.

The PRESIDING OFFICER. The unanimous consent was made and, without objection, it was agreed to.

Mr. DANFORTH. Mr. President, what was the request?

The PRESIDING OFFICER. For the Senator from Iowa to be recognized for 30 seconds.

Mr. DANFORTH. How much of that time remains?

The PRESIDING OFFICER. The 30 seconds have expired. The Senator from Delaware is recognized.

#### THE GULF CRISIS

Mr. BIDEN. Before I begin, I want to say that I understand the concern of the Senator from Iowa in engaging in a debate. I know the Senator from Pennsylvania extremely well, and I think what we have is, as they said in one of those old Paul Newman movies, is a failure to communicate. What the majority leader said, and I was at the meeting, was precisely accurate. But what the Senator from Pennsylvania says, as I read him to say, is that a reasonable person could sit there and say the flip side of that is that this thing is not working. What they said in the private meeting has been said publicly and said before our committee. When the Secretary of State was asked, in the Foreign Relations Committee, "Have they failed?" he said, "No, they have not failed, but they will not produce the results that we hoped to achieve." A reasonable person could sit there and say, well, that means they are not working.

That is the only reason I am not yielding to get into that kind of debate at this point, having waited here as long as I have to make what I hope is a mild contribution to this debate in the first of two speeches I will attempt to make on the floor, one today and one tomorrow.

Mr. President, this whole debate, in my view, at this point, could have been avoided. Not the debate about whether or not sanctions have failed or not failed, but the debate about whether or not to give the President authority to unleash the awesome military power and capability of the United States, much of which is sitting in the Persian Gulf. I believe it could have been avoided.

I thought the Senator from New York said it best when he said we seemed not to have learned any of the lessons from the cold war victory that we achieved without ever having to have that third

world war that everyone suggested was inevitable to be able to have our principles succeed. I think that is part of our problem here.

The fact of the matter is that the mistake that we are about to make, if we grant the President the authority to commit those forces to battle, can also be avoided. It is not too late. A number of Senators have risen today on the floor and said that although they would have liked sanctions to continue to work—and the defensive posture protects the rest of the gulf, plus sanctions strangling Iraq—a literal siege against that country, notwithstanding the fact they thought that was working pretty well and they would have, had they had their druthers, continued the policy—we are beyond that, they said. And they are beyond that, they say, in effect, because we have already made a judgment—the President has made a judgment.

But I believe it is a mistake. We all make mistakes. Lord knows, I have made a number of them, but never have had the responsibility that when a mistake is made it could be of a consequence as this one—unless it is turned around. The mistake that was made was that the President decided that he could achieve the objectives sought by all of us of getting Saddam Hussein out of Kuwait by a show of overwhelming force, offensive force. The President changed his vocabulary on November 8. He started using the word "offensive" instead of "defensive," and it was an honest, accurate change in his vocabulary because he said now we are going to commit over 400,000 troops—this was in November—over the next several months to the Persian Gulf.

Now he put himself in a position I believe, because I do not believe he wants war, of assuming that if we had a show of overwhelming force Saddam Hussein would see the wisdom of withdrawing prior to being militarily crushed by this overwhelming force.

Big nations cannot bluff. That is high-stakes poker. He made that judgment. On the very day he made that judgment I went on record in interviews—on national TV shows and in my home State—and said look, this is a serious mistake.

Mark my words: What we are going to hear from this moment on is that anyone who disagrees with the policy of the President from this moment on is either abandoning our young men and women in the field, showing a lack of unity which will embolden Saddam Hussein, or giving comfort to the enemy, and the like.

The Senator in the chair and I are both of that so-called Vietnam generation. Every time we raised our voice in opposition then, we were told you are giving aid and comfort to Ho Chi Minh, and maybe in a sense we were in that there was not total unity. But there is

a corollary to this argument. The flip side of that is this: If a President embarks on a foolish policy against the long-term interests of the United States, it is better to sign on to that foolish policy and show unity, thereby, increasing incrementally the prospects that the threat, as foolish as it may be, may produce the result desired, than it is to say whoa, let us slow up here.

There is an acquaintance of mine, a former CEO of a company in my State who one day used the phrase which I suspect has been used before, although I have never heard it before, where he said we have a policy in this outfit when you find yourself in a hole, stop digging. We are in a bit of a hole here.

There is an argument made by those who want to give the President the authority to use force, beyond the foreign policy soundness or lack thereof of the argument, they say and, you will hear this time and again, if, God forbid, we use force you are showing disunity, you are weakening our position. You will hear it 6 months from now if, God forbid, we go to war and are still at war at that time. "Those of you who continue to argue against this policy back in the United States Senate are giving that Iraqi in the foxhole that little bit more heart to stay and hold on just a minute more" and so on, and so on, and so on.

But you know what? It is a little like if you said to the jewel thief who just came out of the ground floor of a building, "Look, if you do not give back those jewels, I am going to jump on top of you and kill you from the seventh floor." That may be enough to make him give them back, but if he does not, you have just caused yourself more pain and injury than anything that could possibly flow from him keeping the jewels.

But that is not even a choice here. Saddam Hussein does not get to keep the jewels or we go to war. That should not be the debate. That is not really what is at issue. The fact of the matter is, Mr. President, that is how it will be characterized.

We hear about international organizations being in full support of this. Of course they are in support of it. We have new world order. The United Nations has voted and if they continue this new world order will continue to vote to allow the United States of America to right any wrong in the world.

But the truth is that not every member of the coalition will use force if it comes to that. The administration won't admit it. But it is fair to say that our experts in this administration are not counting on everybody to participate who signed on, to say the least. If there is a war 95 percent of the casualties in the coalition will be American.

If there is a war, we will prevail. We will win the battle. But 95 percent of the enmity of the Arab world—outside

of Iraq—to the extent there is any, will be directed to the United States. The French are already trying to cut their own deal, notwithstanding the fact that they contend they will go to war.

I hear, well, the coalition can hold in peace. I ask Senators, if this outfit cannot hold together in time of peace, this coalition, what are your bets about it holding together in time of war? I am willing to make book on that one.

So every argument that can be made as to why we must move now to war because the peaceful coalition will break down is accurate in spades if we go to war.

We win. And we inherit the wind. Saddam Hussein is out of Kuwait.

You ask the administration officials, what is the next step? Well, the Secretary of Defense before the House was honest enough to say—"What are your contingency plans?" a House Member asked him, and he said, "We have none." Why do not we think what the next logical step may be? You put your right foot in front of your left, and unless you are going to stand still the left is going to have to follow. And the left foot is going to land in a vacuum, Mr. President.

I do not know what that vacuum is going to be, but it is not preposterous to suggest that we may have an occupying force in Baghdad for years. Maybe a month, but it could be years.

It is not preposterous to suggest that we will have a "U.N. force, a large percentage of it made up by the United States" having to decide, do we go to war against Iran to prevent them from taking Iraqi oil fields? And our good friend Mr. Assad, what can we expect from him in a postconflict situation?

Mr. President, there is a lot more to say about the wisdom or lack thereof of the present policy. But today I would like to fully address the constitutional issue before us in this crisis.

Rarely does the Senate find itself debating a matter because the Constitution of the United States of America demands that we do so. Today is one of those days.

The Constitution—even if we wished not to—demands that we debate the question. We are here today because our Constitution, a document written by men who shed blood to free this land from tyranny of any one individual, commands the Congress to decide the gravest question any country faces: Should it go to war? Let there be no mistake about it, Mr. President, this is a question which the Congress—and only the Congress—can answer.

On this point the Constitution is as clear as it is plain. While article II of the Constitution gives the President the power to command our troops, article I of the Constitution commits to Congress—and Congress alone—the power to decide if this Nation will go

to war. The Framers of our Constitution took great pains to ensure that the Government they established for us would differ from the rule of the British monarchs. They knew firsthand of the consequences of leaving the choice between war and peace to one man.

In England, the king alone could decide to take a nation to war. But in America, the Federalist Papers tell us this power "by the Constitution appertains to the legislature."

As Framers James Wilson assured those who feared the President's military power when they gathered to vote on the Constitution:

It will not be in the power of any single man to invoke us in such distress for the important power of declaring war is vested in the legislature at large.

In light of this, Mr. President, it seems almost impossible to believe we are having a serious argument in this country today about whether, under the Constitution, the President alone can take the Nation to war. The Constitution's language says that the war power rests with the Congress, and from James Madison to John Marshall, the Constitution's fathers all understood this to be a key principle of the Republic.

Lest anyone in this body or anyone listening wonder why I am raising this question—since we will soon vote on a resolution authorizing the use of force—I am raising it because the President continues to insist he does not need the will of the people, spoken through the Congress as envisioned by the Constitution, to decide whether or not to go to war. I assume that means he would believe he had the constitutional authority even if we vote down a resolution authorizing him to use force. Whether he would politically do that or not is another question. But at least it should be somewhere on the record that there is ample evidence, constitutional scholarship to suggest that he has no such authority.

On Tuesday, President Bush asked this Congress to debate and decide whether to take the Nation to war. Unfortunately, the President stopped short of abandoning his previous claim that he has the power, acting alone, to start a war. His Secretary of Defense has said, "We do not believe that the President requires any additional authorization from the Congress before committing U.S. forces to achieve our objectives in the gulf."

And his Secretary of State has said, "The President has the right as a matter of practice and principle to initiate military action."

Just yesterday, as I mentioned earlier, the President himself said that he alone has the constitutional authority to initiate war.

To put it simply, these views are at odds with the Constitution. They may accurately describe the power of leaders of other countries, but they do not

describe the power of the President of the United States.

As one of the Framers said at the Constitutional Convention in 1787, and as he would say, I suspect, today, if he could hear the Secretaries of State and Defense, "I never expected to hear in a Republic a motion to empower the Executive alone to declare war."

Yes, the President is the Commander in Chief. But in the Framers' view, according to Alexander Hamilton, this amounts to, "nothing more than the supreme command and direction of the military and naval force." In short, the Congress decides whether to make war. And the President decides how to do so.

The meaning of the Constitution in this case is clear, direct, and indisputable.

Before President Bush can launch an offensive action of 400,000 troops—by anybody's standard a war—he must obtain a congressional authorization or declaration. It need not be a formal declaration of war, according to precedents and all the constitutional scholars, but it must be a clear, unambiguous authorization. To do less would be to flagrantly violate the very document that our troops are there sworn to uphold.

This has been my view since the President's first deployment of U.S. troops in early August. It is supported by the language of the Constitution, by the intentions of the Framers, and by the history of our Nation. And, I might add, most importantly, by the spirit of our democracy.

My view on the constitutional issue was strongly reinforced earlier this week when the Senate Judiciary Committee held the first congressional hearings to address the question of the President's authority under our Constitution to initiate military action against Iraq.

At our hearing we heard from distinguished constitutional scholars on the matter. Their testimony, I think, is enormously persuasive. In the words of former Attorney General Nicholas Katzenbach, "Unless the grant of section 8 is to be read out of the Constitution entirely, the President is obliged in the present circumstances to seek congressional approval for an attack to force Iraq out of Kuwait."

As Prof. Louis Henkin, perhaps the Nation's foremost expert in international law and the U.S. Constitution—and a supporter of the U.N. resolution against Iraq—told the committee, "The President has no authority under the Constitution to take military action that would constitute going to war against Iraq unless he receives authorization from Congress by a clear and unambiguous indication in advance."

Professor Henkin's statements reinforce another important point. Congressional silence in this field cannot be interpreted as an assent to war.



Under our Constitution, the President does not possess the power to launch a war unless the Congress stops him. That is not what it says. Rather, it says he has the power to command in a war only if the Congress chooses to launch one.

As Prof. William van Alstyne told the committee, the President "may not loose the dogs of war until the Congress affirmatively authorizes it. It is just that simple." As Prof. Harold Koh of Yale put it, "silence has a sound, and the sound is no."

Of course, I do not think the Congress should remain silent. That is why we are here today. Indeed, since last August I have been calling for full congressional debate and a vote on this matter, as my friend from Massachusetts and others have since that time as well.

This is not simply a constitutional requirement, but a political necessity. How can we remain silent on a great issue being debated around the country? How can the President contemplate initiating military action of this magnitude without the clearly expressed support of the American people through their elected representatives? Without that support, whatever policy the President chooses, through wisdom or folly, cannot possibly succeed.

The Framers knew this and that is why they delegated to us the power to choose between war and peace. The responsibility is awesome; the decision is difficult; and it is a choice some in Congress may prefer to avoid. But whatever our view on this ultimate decision, this is one point on which all should agree: the decision whether or not to go to war rests with the Congress. The overwhelming opinion of scholars and historians rest on this side; yet the administration and a handful of scholars reject this constitutional command. I want to briefly address their arguments now.

The arguments for Presidential power fall into two categories: general and specific. The general arguments say that the President has the constitutional power to launch a military attack without congressional authorization under almost every conceivable circumstance, including this one.

The specific arguments rely on particular aspects of this crisis to establish Presidential authority. Let me consider them both in turn.

The most general argument for Presidential authorities cites the President's power as Commander in Chief and notes that in our history, military force has been used over 200 times against foreign adversaries, and only five times with a declaration of war. That has been mentioned time and again here.

But upon examination of the record, as I have and I hope others will, of those over 200 instances—the record demonstrates that many of these 200

instances were not attacks against sovereign nations and, thus, war could not have been declared. Others were mostly minor police actions to protect American property or citizens living abroad, or others were sufficiently time urgent to fit under the rubric of the President's constitutional power to repel sudden attacks. Others were authorized by congressional enactments that served as de facto declarations of war, such as the Tonkin Gulf resolution.

To demonstrate the absurdity of this superficially appealing claim, let me give my colleagues one example of these 200 precedents being cited by the President.

In 1824, an American ship sent out a landing party to the Spanish possession of Cuba in pursuit of pirates. There could be no comparing pursuing pirates on the Spanish possession of Cuba by an American ship with what is going on today.

We have now deployed a major portion of our air, naval, and land forces to the region. The gulf standoff has persisted for months without significant military action. American hostages have been released. American diplomats can be evacuated.

Four hundred thousand Americans sit in the desert ready to launch an assault that would be vastly larger than D-day in its size and scope. If the Constitution does not require a declaration of war in this case, it is hard for me to imagine when it ever would apply.

In sum, our constitutional tradition does not support the President's view, but rather just the opposite, and throughout our history, American Presidents have acknowledged the proper division between their role and that of the Congress.

For example, when Thomas Jefferson considered launching a military assault on the Spanish, he wrote: "Considering that Congress alone is constitutionally invested with the power of changing our condition from peace to war, I have thought it my duty to await their authority for using force. The course belongs to Congress exclusively to yield or to deny."

President James Buchanan put it similarly: "Without the authority of Congress," he said, "the President cannot fire a hostile gun in any case except to repel attacks of any enemy."

Perhaps because they knew that history was against them, the President's advisers have also said that the circumstances of modern warfare are such that extensive debate cannot reasonably precede the use of military force, lest the enemy be made aware of our intentions.

Thus, early on in this crisis, when I proposed a resolution authorizing the use of force under certain circumstances but requiring the President to return and ask Congress for the authority to initiate offensive action, Secretary of State Baker argued that if

the President had to follow this approach, we would lose the element of surprise in our military planning.

That was on October 17, 1990. Yet 1 month later, the administration went to the U.N. Security Council, where an authorization for the use of force was debated and ultimately passed. What happened to the element of surprise? The longstanding claim that we cannot debate war in the modern age has been shown to be a red herring by the U.N. resolution.

This argument that we do not have time to debate this issue clearly, in this case, was specious from the outset. Moreover, the mere fact that submitting this question to the Congress is inconvenient does not in any way lessen the clarity of the constitutional command. As the Supreme Court has written, "The fact that a given procedure is efficient, convenient, and useful in facilitating functions of the Government will not save it if it is contrary to the Constitution. Convenience and efficiency are not the primary objectives—or the hallmarks—of a democratic government."

In sum, the general argument for Presidential authority to initiate war is profoundly misguided and deeply undemocratic. In the words again of Professor Henken, this view is "without foundation in [constitutional] text, in original intent, or in our constitutional history."

So much for the general claim that the President has the power to take the Nation to war. Let me now briefly move to the specific arguments that are being made, relating to the current crisis, on which the advocates of Presidential power also rely.

Noting the U.N. resolutions on the gulf crisis, and particularly U.N. Resolution 678, advocates of Presidential power argue that U.S. ratification of the U.N. Charter binds us to adhere to these resolutions, and provides the President with an independent authority to act under U.N. auspices.

In fact, Prof. Eugene Rostow argued to the committee that the President's constitutional obligation to "take care that the Laws [of the United States] be faithfully executed"—including treaties—encompasses a constitutional duty of the President to implement the U.N. resolutions, and gives him the power to do so without congressional assent.

I understand the allure of this position. Many who have long sought a stronger United Nations want to see steps taken by the United Nations receive the maximum possible weight. And, indeed, the U.N. resolutions are an important factor to be weighed as we begin our debate on this issue.

But while the U.N. resolutions do count as a foreign policy matter, they do not change in any way the constitutional calculus. As several witnesses

told our committee, the flaws of the contrary position are numerous.

First, there is the question of whether any treaty, including the U.N. Charter, could—in effect—modify the Constitution's allocation of power to Congress to decide if the United States will go to war. I seriously doubt that the President and the Senate could treaty away the House's role on making this choice.

Second, even if the President and the Senate could enter into a treaty that would give the President the power to take the Nation to war, the question is, is the U.N. charter such a treaty? Again, the answer is probably no.

The law that this Congress passed to establish our participation at the United Nations—the U.N. Participation Act—said that "nothing here \*\*\* shall be construed as an authorization to the President by the Congress to make available to the Security Council \*\*\* armed forces \*\*\* in addition to the forces \*\*\* provided for in [a] special agreement" under article 43 of the U.N. Charter—and no such article 43 "special agreement" has ever been negotiated.

Moreover, even if our ratification of the U.N. Charter did—in 1945—give the President additional powers to go to war under the U.N. Charter, Congress' enactment of the War Powers Resolution in 1973 reversed that decision. The act states:

Authority to introduce U.S. Armed Forces into hostilities \*\*\* shall not be inferred from any treaty heretofore ratified.

And finally, even ignoring all of this, and instead assuming that the President could take the Nation to war as directed by the United Nations, the fundamental fact is that in the gulf crisis, no U.N. resolution has directed him to do so. The U.N. resolutions merely authorize member states, acting under their own laws and procedures, to use any necessary means to get Iraq out of Kuwait. They do not order us to launch an attack, and therefore, they do not create any treaty obligation on the President to launch a war in the gulf.

Thus, the so-called U.N. argument for Presidential power can be dismissed in this way: even if the ratification of a treaty could give the President added war power—which I doubt—and the U.N. Charter, as ratified, did make this change—which it did not—and Congress accepted this view—which it expressly rejected in 1973.

The fact is that in the current crisis, the United Nations has done nothing to obligate our President to take any action with respect to our military power.

The choice to go to war remains with the Congress and the Congress alone, as it always does. So it has been since the earliest days of our Republic, so it is today, and so it always will be as long as this country is governed by a Constitution.

In closing, Mr. President, I would like to point out a terrible irony in the debate over the constitutional issue under discussion here today.

Stop and think about the President's rationale for war. As I understand it—it is at least in part—that Iraq has violated the law of nations through its heinous invasion of Kuwait, and that we must set a precedent for the new world order based on the rule of the law.

Fair enough. But then let us just ask this question: Is the President prepared to pursue this same objective here at home? Soon some 400,000 soldiers will be in the Saudi desert; most are there now. These American men and women are prepared to fight and die if necessary to "preserve our way of life," as the President phrases it, or to reverse aggression, as it is less grandiosely phrased, to uphold the law of nations, and to inaugurate a new world order.

Yet the President, at least in his statements, appears willing to violate our Constitution to achieve those objectives. If this crisis is really about upholding the law of nations, I suggest the President must start by upholding the law at home and clearly acknowledging that only the Congress can take this Nation to war.

Americans once lived under a system where one man had the unfettered choice to decide by himself whether we would go to war. We launched a revolution to free ourselves from the tyranny of such a system.

Failure by the Congress to discharge our constitutional role—to insist that the choice about war be made by us and not by the President—would be a mistake of historic proportions.

(Ms. MIKULSKI assumed the chair.)

Mr. BIDEN. As Prof. Van Alstyne passionately told the Judiciary Committee on Tuesday:

If Congress in this instance cannot now reclaim its own constitutional integrity, then this is the constitutional moment—not Korea, not the Civil War—it is this one that will serve as the monument to the future the Congress [will have] collaborated in the collapse of the separation of powers under the Constitution of the United States.

Madam President, no warning could be put more starkly; no statement could state our constitutional duty more clearly.

In the days ahead, let the Senate stand up and discharge our proper and solemn role under the Constitution.

With the permission of the Senate, I will seek the floor tomorrow to speak to the merits or lack thereof of the President's policy.

I thank my colleagues.

Mr. DANFORTH addressed the Chair. The PRESIDING OFFICER. The Senator from Missouri.

Mr. DANFORTH. Madam President, like all my colleagues, I have been engaged in intensive soul-searching on how I will vote on the question now be-

fore the Senate, whether to support the President if he determines force is necessary to expel Iraq from Kuwait. Throughout this soul-searching, two convictions have been foremost in my mind.

First, I am convinced beyond a doubt that the United States must not allow the status quo in Kuwait to stand. Some have argued that the President has not made a clear case for America's insistence that Iraq must withdraw from Kuwait, but for me the President's case is both crystal clear and overwhelmingly convincing.

This is the first major test of the post-cold-war world order. With the recent collapse of the Soviet Empire, the great threat we have feared since 1945 is no longer real. The likelihood is zero that the Soviet Union will precipitate war by invading Western Europe. But the events of August 2 have demonstrated to all that to be rid of one threat does not make the world safe. A growing list of countries now possess or soon will possess the instruments of mass destruction. One of those countries is Iraq. It is simply not sufficient to check the possibility of terrifying aggression at one of its sources. We must be prepared to check terrifying aggression at all of its sources.

In Kuwait, Iraq is the aggressor, and its actions cannot be tolerated. Nearly all of us agree on this point. Iraq attacked its neighbor, occupied its territory, and brutalized its people. It has fielded a massive army with chemical and biological warfare capability that it has no compunctions about using. It now controls 20 percent of the world's proven oil reserves, and, if undeterred, it could control an additional 25 percent of world reserves in Saudi Arabia by conquest or intimidation.

Some people have asked whether this conflict is not "just about" oil. To me, that is like asking whether it is not just about oxygen. Like it or not, our country, together with the rest of the world, is utterly dependent on oil. Our economy, our jobs, our ability to defend ourselves are dependent on our access to oil. To control the world's supply of oil is in a real sense to control the world. So what is involved in the Persian Gulf today is not only the preservation of the world order and the prevention of brutal aggression; it is the vital economic and security interests of the United States and the rest of the world as well.

For many years, commentators of various philosophical stripes, especially liberal commentators, have argued that the United States should not go it alone in the world. We should not take it upon ourselves to be the world's policeman. So the commentators have argued, with respect to Central America and elsewhere, that our country should not act unilaterally; we should work with other countries; we should address crises on a multilateral basis.



This is exactly what President Bush has done with respect to the present crisis. He has gone repeatedly to the United Nations Security Council for approval of concerted action. He and Secretary of State Baker have consulted incessantly with countries throughout the world. He has asked for and received the military and economic support of more than 20 nations. He has been widely acclaimed, especially by the liberals, for this multilateral approach.

It is argued that while many nations have done something, few nations have done enough. I suppose this point would always be made no matter what the degree of commitment by our partners. But what are we to make of such an argument? That multilateralism was a mistake after all? That no matter how assiduously pursued, it never really works?

The advocates of multilateralism cannot have it both ways. They cannot applaud it one day, and jeer at it the next. Would that there were more leaders from the free world, but the fact is that the United States is the leader. We are the one remaining world power. And if the United States now retreats from its commitment for a joint effort on the ground that others are not as strong or as firm as we are, all the efforts to seek Security Council resolutions and to consult with other governments will have been an exercise of futility, recognized as such throughout the world.

The captain cannot abandon the ship. Having gained the approval of so many other governments, some of which are on the very border of Iraq and in great peril for their survival, it is unthinkable that our Government would now lose its will. Having urged the world to approve combined action, it is not an option for the Congress of the United States to disapprove what we for months have asked others to support.

This then is my first conviction: We cannot accept Iraq's occupation of Kuwait.

My second conviction is that war with Iraq would be a disaster we should do everything to avoid. I have believed and I do believe that the negative consequences of war far outweigh the positive. These negatives have totally consumed my thinking, and I have expressed them to the President and to key members of his administration.

I foresee many casualties, the use of chemical weapons by Iraq, terrorist strikes, Israel's involvement, and long-lasting turmoil in the Middle East. Repeatedly, I asked myself the same question: When we win the war, then what happens? What happens to the balance of power in the Middle East? To the governance of Iraq? To the stability of friendly governments in Egypt and Saudi Arabia? Repeatedly I have come to the same answers. While the status

quo is unacceptable, the alternative of war is even worse.

Because of this conclusion I have for some time believed that if I had to vote on the matter, I would vote against authorizing the President to use military force. I have taken comfort in the proposition that we will soon be voting on it here in the Senate. Let us give sanctions a chance to work.

But, Madam President, after consulting with the best advice I can find, I have concluded that there is no comfort to be found in that proposition. It is clear to me that sanctions alone cannot reverse the status quo. Sanctions alone will cause suffering to the civilian population of Iraq but they will not force the Iraqi Army from Kuwait. And causing suffering to a civilian population without military results should never be the objective of a civilized nation.

I refer the Senate, as others have today, to the public testimony of Director of Central Intelligence Webster before the House Armed Services Committee on December 5, 1990. I ask unanimous consent, as others have, Madam President, that a transcript of that testimony be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SANCTIONS IN THE PERSIAN GULF

IRAQ: THE DOMESTIC IMPACT OF SANCTIONS,  
DECEMBER 4, 1990

Thank you, Mr. Chairman. I appreciate the opportunity to address this committee on what the intelligence community believes the sanctions have already accomplished and what we believe the sanctions are likely to accomplish over time. Of course, sanctions are only one type of pressure being applied on Iraq, and their impact cannot be completely distinguished from the combined impact of military, diplomatic, and economic initiatives on Iraq.

At the technical level, economic sanctions and the embargo against Iraq have put Saddam Hussein on notice that he is isolated from the world community and have dealt a serious blow to the Iraqi economy. More than 100 countries are supporting the U.N. resolutions that impose economic sanctions on Iraq. Coupled with the U.S. Government's increased ability to detect and follow up on attempts to circumvent the blockade, the sanctions have all but shut off Iraq's exports and reduced imports to less than 10 percent of their preinvasion level. All sectors of the Iraqi economy are feeling the pinch of sanctions, and many industries have largely shut down. Most importantly, the blockade has eliminated any hope Baghdad had of cashing in on higher oil prices or its seizure of Kuwait oilfields.

Despite mounting disruptions and hardships resulting from sanctions, Saddam apparently believes that he can outlast international resolve to maintain sanctions. We see no indication that Saddam is concerned, at this point, that domestic discontent is growing to levels that may threaten his regime or that problems resulting from the sanctions are causing him to rethink his policy on Kuwait. The Iraqi people have experienced considerable deprivation in the past.

Given the brutal nature of the Iraqi security services, the population is not likely to oppose Saddam openly. Our judgment has been, and continues to be, that there is no assurance or guarantee that economic hardships will compel Saddam to change his policies or lead to internal unrest that would threaten his regime.

Let me take a few minutes to review briefly with you some of the information that led us to these conclusions, as well as to present our assessment of the likely impact of sanctions over the coming months.

The blockade and embargo have worked more effectively than Saddam probably expected. More than 90 percent of imports and 97 percent of exports have been shut off. Although there is smuggling across Iraq's borders, it is extremely small relative to Iraq's pre-crisis trade. Iraqi efforts to break sanctions have thus far been largely unsuccessful. What little leakage that has occurred is due largely to a relatively small number of private firms acting independently. We believe most countries are actively enforcing the sanctions and plan to continue doing so.

Industry appears to be the hardest hit sector so far. Many firms are finding it difficult to cope, with the departure of foreign workers and with the cutoff of imported industrial inputs—which comprised nearly 60 percent of Iraq's total imports prior to the invasion. These shortages have either shut down or severely curtailed production by a variety of industries, including many light industrial and assembly plants as well as the country's only tire-manufacturing plant. Despite these shutdowns, the most vital industries—including electric power generation and refining—do not yet appear threatened. We believe they will be able to function for some time because domestic consumption has been reduced, because Iraqi and Kuwaiti facilities have been cannibalized and because some stockpiles and surpluses already existed.

The cutoff of Iraq's oil exports and the success of sanctions also have choked off Baghdad's financial resources. This too has been more effective and more complete than Saddam probably expected. In fact, we believe that a lack of foreign exchange will, in time, be Iraq's greatest economic difficulty. The embargo has deprived Baghdad of roughly \$1.5 billion of foreign exchange earnings monthly. We have no evidence that Iraq has significantly augmented the limited foreign exchange reserves to which it still has access. As a result, Baghdad is working to conserve foreign exchange and to devise alternative methods to finance imports.

We believe Baghdad's actions to forestall shortages of food stocks—including rationing, encouraging smuggling, and promoting agricultural production—are adequate for the next several months. The fall harvest of fruits and vegetables is injecting new supplies into the market and will provide a psychological as well as tangible respite from mounting pressures. The Iraqi population, in general, has access to sufficient staple foods. Other foodstuffs—still not rationed—also remain available. However, the variety is diminishing and prices are sharply inflated. For example, sugar purchased on the open market at the official exchange rate went from \$32 per 50 kilogram bag in August to \$580 per bag last month. Baghdad remains concerned about its food stocks and continues to try to extend stocks and, increasingly, to divert supplies to the military. In late November, Baghdad cut civilian rations for the second time since the rationing program began, while announcing increases in rations for military personnel and their families.

On balance, the embargo has increased the economic hardships facing the average Iraqi. In order to supplement their rations, Iraqis must turn to the black market, where most goods can be purchased but at highly inflated prices. They are forced to spend considerable amounts of time searching for reasonably priced food or waiting in lines for bread and other rationed items. In addition, services ranging from medical care to sanitation have been curtailed. But these hardships are easier for Iraqis to endure than the combination of economic distress, high casualty rates, and repeated missile and air attacks that Iraqis lived with during the eight-year Iran-Iraq war. During this war, incidentally, there was not a single significant public disturbance even though casualties hit 2.3 percent of the total Iraqi population—about the same as the percentage of U.S. casualties during the Civil War.

Looking ahead, the economic picture changes somewhat. We expect Baghdad's foreign exchange reserves to become extremely tight, leaving it little cash left with which to entice potential sanctions-busters. At current rates of depletion, we estimate Iraq will have nearly depleted its available foreign exchange reserves by next spring. Able to obtain even fewer key imports, Iraq's economic problems will begin to multiply as Baghdad is forced to gradually shut down growing numbers of facilities in order to keep critical activities functioning as long as possible. Economic conditions will be noticeably worse, and Baghdad will find allocating scarce resources a significantly more difficult task.

Probably only energy-related and some military industries will still be fully functioning by next spring. This will almost certainly be the case by next summer. Baghdad will try to keep basic services such as electric power from deteriorating. The regime also will try to insulate critical military industries to prevent an erosion of military preparedness. Nonetheless, reduced rations, coupled with rapid inflation and little additional support from the Government will compound the economic pressures facing most Iraqis.

By next spring, Iraqis will have made major changes in their diets. Poultry, a staple of the Iraqi diet, will not be available. Unless Iraq receives humanitarian food aid or unless smuggling increases, some critical commodities such as sugar and edible oils will be in short supply. Distribution problems are likely to create localized shortages. But we expect that Baghdad will be able to maintain grain consumption—mainly wheat, barley, and rice—at about two-thirds of last year's level until the next harvest in May.

The spring grain and vegetable harvest will again augment food stocks, although only temporarily. To boost next year's food production, Baghdad has raised prices paid to farmers for their produce and decreed that farmers must cultivate all available land. Nonetheless, Iraq does not have the capability to become self-sufficient in food production by next year. Weather is the critical variable in grain production and even if it is good, Iraqis will be able to produce less than half the grain they need. In addition, Iraq's vegetable production next year may be less than normal because of its inability to obtain seed stock from abroad. Iraq had obtained seed from the United States, The Netherlands, and France.

Although sanctions are hurting Iraq's civilian economy, they are affecting the Iraqi military only at the margins. Iraq's fairly static, defensive posture will reduce wear

and tear on military equipment and, as a result, extend the life of its inventory of spare parts and maintenance items. Under now-combat conditions, Iraqi ground and air forces can probably maintain near-current levels of readiness for as long as nine months.

We expect the Iraqi Air Force to feel the effects of the sanctions more quickly and to a greater degree than the Iraqi ground forces because of its greater reliance on high technology and foreign equipment and technicians. Major repairs to sophisticated aircraft like the F-1 will be achieved with significant difficulty, if at all, because of the exodus of foreign technicians. Iraqi technicians, however, should be able to maintain current levels of aircraft sorties for three to six months.

The Iraqi ground forces are more immune to sanctions. Before the invasion, Baghdad maintained large inventories of basic military supplies, such as ammunition, and supplies probably remain adequate. The embargo will eventually hurt Iraqi armor by preventing the replacement of old fire-control systems and creating shortages of additives for various critical lubricants. Shortages will also affect Iraqi cargo trucks over time.

Mr. Chairman, while we can look ahead several months and predict the gradual deterioration of the Iraqi economy, it is more difficult to assess how or when these conditions will cause Saddam to modify his behavior. At present, Saddam almost certainly assumes that he is coping effectively with the sanctions. He appears confident in the ability of his security services to contain potential discontent, and we do not believe he is troubled by the hardships Iraqis will be forced to endure. Saddam's willingness to sit tight and try to outlast the sanctions or, in the alternative, to avoid war by withdrawing from Kuwait will be determined by his total assessment of the political, economic, and military pressures arrayed against him.

Mr. DANFORTH. The conclusion of Director Webster is that sanctions in themselves will not lead to the overthrow of Saddam Hussein, and that they will not lead him to change his policy toward Kuwait. The Director states that if Saddam Hussein decides to withdraw from Kuwait, that decision, and I quote, "will be determined by his total assessment of political, economic, and military pressures arrayed against him."

It is my privilege to serve on the Select Committee on Intelligence. I am precluded, of course, from divulging classified information I have received in briefings in that committee. However, I am free to state my own conclusions on the basis of my total understanding. My conclusion is this: Standing by themselves and without the credible threat of military force, sanctions have no chance of expelling Iraq from Kuwait.

Some have argued that sanctions would over time weaken Iraq's military position and make an eventual conflict less costly to American forces. But this assumption is not borne out by the best available advice, including Director Webster's public testimony. The Director states that "Under known combat conditions, Iraqi ground and air forces can probably maintain near current levels of readiness for as long as 9

months." He further states that the Iraqi Air Force would feel the effects of sanctions to a greater degree than ground forces, which are more immune to sanctions, but it is ground forces that dug into Kuwait in massive numbers and it has been said that ground forces have never been defeated by air superiority alone.

Madam President, I know that there have been various interpretations offered in the Senate about exactly what Director Webster said in his testimony on December 5. It could be said that he testified that sanctions work. Madam President, if the meaning of "work" is to inflict pain on civilians, that conclusion is absolutely correct. But there is no way to read the testimony of Director Webster on December 5 and come out with a conclusion that the sanctions offer any possibility of removing Iraq from Kuwait in the foreseeable future.

I would like to quote just a few excerpts from the letter that Director Webster has written today to Chairman ASPIN, of the House Armed Services Committee. These are the words of William Webster. First, characterizing his testimony of December 5, he said:

I also testified that there was no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait.

And then the Director goes on and says this:

The ability of the Iraqi ground forces to defend Kuwait and Southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period. Iraq's infantry and artillery forces—the key elements of Iraq's initial defense—probably would not suffer significantly as a result of sanctions. Iraq could easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength.

The Director then says:

On balance, the marginal decline of combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications.

Iraq's Air Force and air defenses are more likely to be hit far more severely than its army, if effective sanctions are maintained for another 6 to 12 months. This degradation will diminish Iraq's ability to defend its strategic assets from air attack and reduce its ability to conduct similar attacks on its neighbors. It would have only a marginal impact on Saddam's ability to hold Kuwait and southern Iraq. The Iraqi Air Force is not likely to play a major role in any battle for Kuwait.

"Our judgment remains," says the Director, "that even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to re-



treat from Kuwait or cause regime-threatening popular discontent in Iraq."

So is time on our side, Madam President, as I have long wanted to believe? I cannot persuade myself that this was any more than wishful thinking on my part.

What happens for the next 9 months or a year, or more than a year, as we vainly wait for the Iraqis to leave their fortifications? Do we keep more than 400,000 troops in place through Ramadan, through the Hadj, through the summer? And if so, what happens to their readiness, their support by the American people, their acceptance by the Muslim masses? To ask these questions is to answer them.

To wait for sanctions to work is to wait while we get weaker and Iraq bides its time. The one and only chance to accomplish our objectives without war is to maintain sanctions accompanied by a credible military threat. Without a credible military threat, our alternative is sanctions followed by nothing at all.

The key to peace is maintaining a credible military threat, and this is precisely the point our pending votes will address. Those who would give sanctions a chance before military action is even possible would decouple the two components which must be kept linked, if we have any chance of getting Iraq out of Kuwait without a fight. They would foreclose any possibility of a just peace.

This is why I cannot vote for sanctions alone. This is why I cannot vote to deprive the President of the credible threat of force. It is indeed a supreme irony that it is only through the threat of force that a stable world can be maintained. But that is an irony we have recognized ever since World War II.

Madam President, I do believe that Saddam Hussein pays attention to what we do and say in the Senate. I do believe that the President's credibility is our best hope, if we are to preserve a stable world without war. We will soon vote to enhance that credibility or to undercut it.

I will support the President with my votes and with my prayers.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island, the chairman of the Foreign Relations Committee.

#### WAR IN THE PERSIAN GULF

Mr. PELL. Madam President, the vote we will soon take is the most momentous that any Member of Congress must cast: It is an anguished vote, a vote on whether to commit young American men and women to battle. Under the Constitution it is the Congress that must make this decision, and in this debate we at last must face up to our responsibilities in connection with this Persian Gulf crisis.

In this regard, my present view is that, while force may eventually be necessary, and I could see myself voting in support, I know that is not my view at this time. Thus, at this time, I will vote against war.

Over our country's 200 year history, generations of Americans have been called upon to serve our country in the defense of our territory, our people, and our values. Many of us in this body have served the cause of freedom in World War II, in Korea, and in Vietnam.

Hundreds of thousands of young men and women in my lifetime have been killed, have made the supreme sacrifices for our country. I respect that sacrifice and I believe that we best honor our fallen countrymen by being absolutely certain that no future young Americans need die unless absolutely necessary.

I do not believe it is necessary to commit American forces to battle in the Persian Gulf at this time. We have in place today a strategy of international sanctions and military deployment that can and, in my judgment, will accomplish our objectives in the Persian Gulf. These objectives are: The defense of Saudi Arabia and other friendly regional nations, the security of world energy supplies, the liberation of Kuwait, and the punishment of aggression.

With nearly 400,000 servicemen in the Persian Gulf we have more than adequate force to defeat totally an Iraqi attack on Saudi Arabia. Let us remember it was to defend Saudi Arabia—and not to reverse the occupation of Kuwait—that President Bush made the original deployments of United States forces to Saudi Arabia, deployments that were supported by virtually every Member of the United States Congress.

We have in place a strategy of economic and financial sanctions aimed at forcing Iraq to withdraw from Kuwait. These sanctions are mandated by U.N. Security Council Resolution 661, and are being honored by almost every country. The U.N. Security Council has given members authority to enforce the embargo through naval blockade, and the United States is one of a number of countries participating in an international force to deny Iraq access to maritime commerce.

As a result of the U.N. sanctions, Iraq can sell no oil. It can perform no financial transactions. Iraq's gross national product has fallen between 40 and 50 percent in just 4 months. There is also in place a virtually total ban on imports. Without spare parts, imported inputs, and foreign technicians, Iraq cannot operate most of the expensive infrastructure that it purchased in the oil boom years of the 1960's and 1970's. Iraq cannot manufacture tires for its transport. It will soon be unable to produce certain kinds of lubricants or to refine high quality aviation fuel.

Even more important, the sanctions are beginning to erode Iraq's military potential. Without spare parts it cannot fly its airplanes, replace its artillery, or maintain its tanks. The United States replaces its helicopter engines every 50 hours of flying time in the desert. Iraq cannot replace its helicopter engines.

I believe sanctions will force Saddam Hussein to withdraw from Kuwait or, in the alternative, would eventually force the Iraqi people to replace Saddam Hussein. I concede, however, that sanctions might not produce an Iraqi withdrawal. If force does become necessary, I want our servicemen and women to enter battle facing the best possible odds. That is not the case now. But over time, I believe, sanctions will improve the odds in favor of our Armed Forces as compared with the degrading Iraqi military machine. And to repeat, I believe we owe it to them to give our men and women every possible advantage.

Some have suggested that this debate is a partisan one, that Republicans are more interested in getting Saddam Hussein out of Kuwait while Democrats wish to get George Bush out of the White House.

Two and a half years ago, I stood on the Senate floor as the author of the Prevention of Genocide Act, a bill to impose comprehensive sanctions on Iraq for its use of poison gas on its Kurdish minority. More than 20,000 innocent women, children, and men died as a result of a violation of international law and human decency no less serious than the seizure of Kuwait. Yet the Reagan administration vehemently opposed sanctions against Iraq then. And even a week before the invasion of Kuwait, the Bush administration strongly opposed a sanctions bill coauthored by Senator D'AMATO and myself. I cannot help but observe that among those who are most enthusiastic about committing United States forces to battle against Iraq now are those who were most vocally opposed to sanctions prior to August 2.

This debate is not about objectives. We are united in our goals: Iraq must withdraw from Kuwait and aggression must not be rewarded. Our difference is simply one of tactics. Do we continue our effective sanctions policy or do we seize on using force now, without ever knowing if the sanctions would have worked, without ever giving our service men and women the benefit of the weakest possible Iraqi foe.

Nor is this debate about politics. There is an honest difference of opinion about the best course of action for our country. As among those who have served our country in war and one who has pressed in the U.S. Senate for the toughest possible nonmilitary response to years of Iraqi law-breaking, I believe that at this time, peace and the continuation of comprehensive sanctions

is the wisest course and the strongest course.

The PRESIDING OFFICER. The Senator from New York.

#### THE PERSIAN GULF CRISIS

Mr. D'AMATO. Madam President, if I might be permitted, while the chairman of the Foreign Relations Committee is still on floor, to make an observation, he is absolutely correct as it relates to the failure to the administration and this Congress repeatedly to take any kind of action—the cutoff of trade—with Saddam Hussein. We were more interested in the profits than what was taking place to the people, to the slaughter of the innocent and the use of poison gas. I commend my colleague for his steadfastness of purpose and his commitment and his attempt early on to wake people up as to what was taking place. He is absolutely correct.

Mr. PELL. I thank the Senator.

Mr. D'AMATO. Madam President, notwithstanding my keen admiration for my colleague from Rhode Island in his sense of justice and purpose, I have to think that as to resolutions that have been indicated are going to be considered, the joint resolution that was submitted today by the majority leader and others is one that I think will do terrible harm to our country. To put it succinctly it rewards Saddam Hussein and it gives a slap in the face to our President and our people. It undercuts the United States at a time when we should be sending Saddam Hussein a message that we are committed to seeing that he leaves Kuwait. It does away with the chance at opportunity to end this conflict—and it is a conflict and it is a struggle—peacefully. It is because only when Saddam Hussein understands that there is a very real threat of the elimination of those things important to his being able to sustain himself that we have an opportunity for victory, and victory is bringing about freedom for the people of Kuwait, and, yes, establishing an order so that that region so important to the stability of world peace can be freed from that kind of military machine.

This is Congress at its worst, and I cannot believe that my colleagues after studying the record, after looking at the fact as it relates to sanctions, can say let us give sanctions more time. More time for what? So that 6 months from now we will come back here and we will face a situation with less support for standing up to Saddam Hussein and aggression throughout the world than we have today? If we think our allies have been shirking their responsibility in making contributions to this war effort—and I am talking Japanese, Germans, French and even the Saudis—what makes you think that 6 months from now or 9 months from now those contributions will be increased or will that shirking be even

greater and will the burden on American families be even greater?

No, Madam President, I think that this is a terrible situation. I think that is the end of bipartisanship as it reflects on our foreign policy. This resolution is nothing short, again, than a blow to our President, to our young men and women out there in Saudi Arabia, a blow to everything that we stand for, and it says that we do not put the trust and confidence in our President when to use force if he deems it necessary; that somehow we, the Senate of the United States, know better when that force can and should be used.

This is not a constitutional debate about a declaration of war. There is the Congress, yes, that must stand up and make a decision whether force should or should not be used, saying, notwithstanding that the President feels he needs that authority so that he is credible when he says to Saddam Hussein "You must leave; otherwise, we can and will use force if necessary," that the Congress says, "No, we have not waited long enough."

I do not know when the United States needs its credibility more than now. It is not too late for us to give to our President that authority. I believe when he has that authority, we have a much better opportunity for ending this deadly undertaking without the use of force. If we want peace, let us give our President the ability to sustain and to make it known that he has the ability to carry out those promises and those undertakings, that he has made those assurances that he has given our allies and those warnings that he has given to our enemy.

#### OPPOSING WAR IN THE PERSIAN GULF

Mr. KENNEDY. Madam President, the debate we begin today is a watershed in the modern history of the Senate and the Nation. The choice between war and peace is the most important decision that any nation ever makes, and the votes to come may be the most important votes that any of us will ever cast.

The lives of thousands of American and allied forces are hanging in the balance, as are the lives of thousands of innocent civilians in the Middle East. The course that America takes in the next few days may well affect the stability of that region of the world for years, or even generations to come.

Two days ago, President Bush asked Congress to support the use of "all necessary means" to implement the Security Council Resolution on the Persian Gulf. For all practical purposes, President Bush is asking Congress, as he must under the Constitution, for authority to take this country into war after the January 15 deadline in the U.N. resolution.

I urge the Senate to vote for peace, not war. Now is not the time for war. I reject the argument that says Congress

must support the President, right or wrong. We have our own responsibility to do what is right, and I believe that war today is wrong.

War is not the only option left to us in the Persian Gulf. The President may have set January 15 as his deadline. But the American people have not. Sanctions and diplomacy may still achieve our objectives, and Congress has a responsibility to ensure that all peaceful options are exhausted before resorting to war.

Until we reach that stage, Congress ought not to authorize the President to use force. At this historic moment, it may well be that only Congress can stop this senseless march toward war.

There is broad support in Congress for the goals of the U.N. resolution. All of us share the disappointment that yesterday's meeting between Secretary Baker and Foreign Minister Aziz failed to make progress toward a peaceful settlement. But the world has not gone the last mile for peace, and we have not reached the last resort of war.

The Secretary General of the United Nations, Perez de Cuellar, will meet with Saddam Hussein on Saturday. President Bush, France, the European Community, Algeria and other Arab nations are still testing avenues for peace.

No one knows whether any of these efforts can succeed. No one can predict what moves the unpredictable Saddam Hussein will make. I reject the "good cop-bad cop" theory that the more beligerently the United States threatens war, the more likely these other diplomatic initiatives will succeed. In fact, I believe it represents the worst kind of brinkmanship that only makes war more likely.

The resolution offered today by Majority Leader MITCHELL is the wisest course for peace. The American people stand united in opposing Saddam Hussein. They are unwavering in their commitment to the goals of the immediate, complete, and unconditional withdrawal of all Iraqi forces from Kuwait, and the restoration of peace and security in the Persian Gulf.

But America is deeply divided on whether war at this time and on President Bush's timetable is the only way to accomplish these goals. We have given peace a chance, but we have not given peace enough chance.

President Bush has gone to great lengths to emphasize that if we go to war, it will not be another Vietnam-type war. But the President has missed the greatest lesson from that tragic war—that it is a grave mistake to take a divided America into war. Unless and until the American people support a war with Iraq, Congress has no business authorizing war.

The world's response to Iraq's unconscionable invasion of Kuwait is unprecedented. Never before have the nations of the world come together so quickly,



so overwhelmingly and so decisively in opposition to aggression. If ever there was an example of the new world order of which President Bush speaks, this is it. It makes no sense to risk all that we have achieved in the name of peace by a premature resort to war.

Yet with no meaningful consultation with Congress, the President unilaterally decided on November 8 to move away from a sensible policy that had stopped Iraq in its tracks, and that was working effectively to achieve the goals of the United States and the world community, without the need for war.

Two days after the November elections, President Bush inexplicably declared his policy of deterrence and sanctions a failure, abandoned Operation Desert Shield, and took up Operation Desert War.

The confrontation in the gulf was initially the world against Iraq. But since November 8, because of the "High Noon" atmosphere created by President Bush, the conflict has become increasingly America against Iraq—and if the shooting starts, it will be almost entirely America against Iraq.

Our policy went off track on November 8 but that is no justification for Congress to ratify it now. Giving peace a realistic chance was the best course for America and the world before November 8, and it is still the best course on January 10. There is still time for Congress to insist that sanctions and diplomacy be given the full and fair opportunity to work that they deserve, before Congress takes the fateful step of authorizing the President to send American men and women to die in war in the Persian Gulf.

Sanctions have not failed, and no one can prove they have. They still have a good chance of achieving our objectives in the gulf. Saddam Hussein is paying a heavy price for his aggression; 95 to 97 percent of his oil exports have been shut down. Iraq's economy has been cut nearly in half. Saddam has no foreign exchange to prime his war machine. A trickle of consumer goods may be slipping through, but Saddam cannot run his country or his war machine on that.

Saddam still occupies Kuwait's oil fields, but they are worthless to him. He invaded Kuwait to boost his oil revenues—but instead he is losing \$1.5 billion a month. His earnings from oil are now zero—and that is no minor achievement. The sanctions are having unparalleled success in squeezing Iraq. There is no reason to abandon them now, when we still have an excellent chance of using them to achieve all our objectives, without shedding the blood of thousands of American troops.

Let there be no mistake about the cost of war. We have arrayed an impressive international coalition against Iraq. But when the bullets start flying, 90 percent of the casual-

ties will be American. It is hardly a surprise that so many other nations are willing to fight to the last American to achieve the goals of the United Nations. It is not their sons and daughters who will do the dying.

Most military experts tell us that a war with Iraq will not be "quick and decisive" as President Bush suggests. It will be brutal and costly. It will take weeks, even months and will quickly turn from an air war into a ground war with thousands perhaps even tens of thousands of American casualties.

The administration refuses to release casualty estimates. But the 45,000 body bags the Pentagon has sent to the region are all the evidence we need of the high price in lives and blood we will have to pay.

Military experts have used Israel's two recent desert wars as reliable indicators of the casualties we will suffer. In its Six-Day War in 1967, Israel suffered 3,300 casualties out of a force of 300,000, including 700 dead. In the heavier fighting that lasted 20 days in the 1973 war, Israel's casualties were over 11,000 for a force of similar size, with 2,600 dead.

In other words, we are talking about the likelihood of at least 3,000 American casualties a week, with 700 dead, for as long as the war goes on.

Perhaps President Bush is correct, that a war with Saddam will end in days, not weeks or months. But what if he is wrong? There is little doubt that even the quickest victory will come at a high cost in American lives.

We must also be concerned about the unpredictable impact of war on the rest of the region in terms of our vital interests. Minister Aziz bluntly stated that Iraq will attack Israel—absolutely attack—when war begins. No one knows what will happen if Israel responds with massive retaliation against Iraq. No one can predict the impact of a massive American attack—of American bombs killing thousands of Iraqi civilians—if the President decides to bomb Baghdad or other cities to achieve his objectives. As Vietnam proved, there is no such thing as a surgical strike.

Finally, there is the issue of the Constitution. Throughout this crisis, the administration has contended that President Bush already has all the authority he needs to order United States troops into war against Iraq, without the approval of Congress.

That position is wrong—dead wrong—and not a single American should die because of it. No President, if he is faithful to the Constitution and the fundamental principle of our democracy, has the right to send U.S. troops into war without the approval of Congress.

As James Madison wrote nearly 200 years ago, "the power to declare war, including the power of judging of the

causes of war, is fully and exclusively vested in the legislature."

Article II of the Constitution makes the President the Commander in Chief of the Armed Forces; but article I gives Congress, and only Congress, the power to declare war.

Like much of the Constitution, these provisions were a response for the ages to the abuses of the British monarchy. The Framers were all too familiar with the grave consequences that result when the King declares war, orders troops into battle, and then presents Parliament with a fait accompli and asks it to support the war, whether or not Parliament and the people believe that the war is just.

The debates during the Constitutional Convention in Philadelphia in 1787 reflect this concern. When the proposal was made that the President be given the power to "make" war, it encountered great opposition.

Roger Sherman of Connecticut said that the President "should be able to repel, and not to commence, war."

Elbridge Gerry of Massachusetts stated that he "never expected to hear, in a republic, a motion to empower the executive alone to make war."

George Mason of Virginia said that he was "against giving the power of war to the executive, because [he] could not safely \* \* \* be trusted with it."

And so, in keeping with the fundamental constitutional principle of checks and balances, the war-making power was carefully divided between Congress and the President, in order to ensure that no President could unilaterally commit the United States to war.

Later, during the debates in the States on the ratification of the Constitution, James Wilson, one of the key figures in writing that provision, informed the Pennsylvania ratifying convention:

It will not be in the power of a single man, or a single body of men to involve us in such distress; for the important power of declaring war is vested in the legislature at large \* \* \*.

The practice of Presidents immediately after the ratification of the Constitution is consistent with this view. In the early 1800's, for example, when the leader of Tripoli declared war on the United States and attacked United States ships, President Thomas Jefferson sent naval vessels to the Mediterranean to protect them. But he limited the mission to defense, because he felt he was constitutionally required to do so.

In the current debate, much has been made of the so-called 211 past incidents in which the United States has sent troops abroad without a declaration of war. The overwhelming majority of these past cases were not wars at all; most were brief expeditions to protect U.S. citizens in danger or to attack pi-

rates or bandits, not wars against foreign nations.

None of these cases resembles the unprecedented situation in the Persian Gulf, with 400,000 American troops now massed on the brink of war.

Only four times before in this century has the United States made a large-scale commitment to send U.S. troops overseas to combat another nation: World War I, World War II, Korea, and Vietnam. Both world wars were authorized by Congressional declarations of war. The massive United States buildup in Vietnam was authorized by the Gulf of Tonkin resolution.

In the case of Korea, President Truman ordered United States troops into South Korea less than a week after the invasion, while the assault by the North Koreans was still underway. Even before the troops arrived, Congress expressed its support for the President's action by voting to extend the draft. Similarly, no one challenged President Bush's decision to send United States troops to the Persian Gulf last August, to prevent Iraq from overrunning Saudi Arabia after its brutal invasion of Kuwait.

But the circumstances now are entirely different, and President Bush must have the authority of Congress before he can go to war.

It is also wrong to suggest that President Bush has the authority under any of the United Nations resolutions to commence war in the Persian Gulf without congressional approval. U.N. Resolution 678 only authorizes each member government to use force against Iraq in accordance with the procedures of each country; it does not require any nation to go to war. And under our Constitution, the President can go to war only if Congress has declared it.

Finally, it has also been suggested that existing laws, such as those appropriating funds for Operation Desert Shield and exempting it from last year's budget agreement, authorize President Bush to go to war. That contention is wrong as a matter of fact; and it would be a gross affront to the Constitution for the President to assert otherwise.

Presidents have the authority to protect American lives and defend American property from sudden attack. But they do not have the authority to commence war in the vastly different circumstances we face in the Gulf.

The overwhelming weight of informed legal opinion supports this view. Last week, I released a letter signed by 127 of the Nation's most distinguished law professors, stating their firm conviction that the Constitution requires the President to obtain prior express congressional authorization before he may order United States Armed Forces to make war in the Persian Gulf. That letter has now been signed by a total of 241 law professors rep-

resenting a broad philosophical spectrum of legal views.

Fortunately, President Bush has now at least partially acquiesced in what the Constitution so obviously requires. He has asked Congress for authority to go to war—although he continues to insist that he does not need any such authority, and it is by no means clear that he will abide by a vote in Congress that denies him such authority.

I hope that in the course of this debate in Congress, someone on behalf of the Bush administration will submit the constitutional argument which the President says he is relying on, when he claims he needs no additional authority from Congress to go to war.

The administration chose not to send a witness to make that case in the hearings held by the Senate Judiciary Committee last Tuesday. And the strong impression left by that hearing was that the administration has no credible argument to make, because its position cannot stand the light of day.

All of us hope that war with Iraq can be avoided. But if it cannot, the hundreds of thousands of American men and women who will risk their lives in such a war deserve to know that the Constitution they are sworn to protect has been obeyed. If not, we are no better than the dictators we are opposing.

Strict adherence to the Constitution, and to the democratic values that it represents, have never been more important than at this crucial and defining moment in our history. If we allow President Bush to start a war without prior congressional approval, it will haunt us for years to come.

When President Truman seized the Nation's steel mills during the Korean War, the Supreme Court ruled that he had acted unconstitutionally. The court struck down his action, and Justice Jackson wrote, "We may say that power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers."

In sum, all Americans want to see Saddam Hussein out of Kuwait. There is no division on that issue. The question before us is not whether to achieve that objective, but how. No one wants to undercut the President. But more is at stake than that. America should not go to war simply because President Bush set an unreal deadline that closed off real possibilities for peace. Under the Constitution, that decision is ours to make, not his.

No course is easy, or without costs. But we have a responsibility to decide which course best protects American interests and American lives. A persuasive case for war cannot be made. Let us continue the sanctions and continue our diplomacy, until all peaceful options have been clearly exhausted. Then and only then should Congress authorize President Bush to take this Nation into war.

As Robert Frost wrote long ago in "The Road Not Taken," a poem that speaks for the ages and that speaks to us now:

Two roads diverged in a wood, and I—  
I took the one less travelled by,  
And that has made all the difference.

In the course of human events, peace often seems the road less traveled by. But it is the road we ought to take today, and it may well make all the difference.

Madam President, I ask unanimous consent that the letter from the law professors on the constitutional issue, and a CRS report detailing the use of U.S. Armed Forces abroad over the last 200 years may be printed in the RECORD. It should be noted that the report was completed prior to the United States invasion of Panama on December 20, 1989, which brings the total to 216.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 2, 1991.

Senator EDWARD M. KENNEDY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR KENNEDY: We, the undersigned law professors, write to express our firm conviction that the Constitution requires the President to obtain prior express congressional authorization before he may order United States armed forces to make war in the Persian Gulf. We write to affirm our belief in this fundamental constitutional principle, not to express our views on the wisdom of any contemplated action.

Article I, §8, cl. 11 of the Constitution states that "Congress shall have Power \* \* \* [t]o declare War." Although Article II, §2, cl. 1 names the President as "Commander in Chief of the Army and Navy," we believe that the President may not invoke that authority to make war without consulting with and gaining the genuine approval of Congress.

The structure and history of our Constitution compel this sharing of responsibility. Like other presidential powers, executive power to conduct war remains subject to the checks and balances vested by the Constitution in Congress and the courts. "This system" in James Wilson's words, "will not hurry us into war; it is calculated to guard against it. It will not be in the power of a single man, or a single body of men, to involve us in such distress; for the important power of declaring war is vested in the legislature at large \* \* \*." 2 *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* 528 (J. Elliot ed. 1888).

The fact that American troops have in the past participated in hostilities abroad without congressional authorization does not alter this fundamental constitutional principle. The essential meaning of a constitutional provision cannot be altered by inaction on the part of prior Congresses or Presidents.

The Constitution thus requires that the President meaningfully consult with Congress and receive its affirmative authorization before engaging in acts of war. We further believe that Congress must manifest its approval through formal action, not legislative silence, stray remarks of individual Members, or collateral legislative activity that the President or a court might construe



to constitute "acquiescence" in executive acts.

We hope that our views will assist you and your colleagues as you prepare to discharge your constitutional responsibilities in this critical time for our Nation.

Sincerely,\*

Prof. Richard I. Aaron, University of Utah College of Law.

Prof. Richard I. Aaron, University of Utah College of Law.

Prof. Harold I. Abramson, Touro Law School.

Prof. Bruce A. Ackerman, Yale Law School.

Prof. T. Alexander Aleinikoff, University of Michigan Law School.

Prof. Lawrence Alan Alexander, University of San Diego School of Law.

Prof. Reginald H. Alleyne, UCLA School of Law.

Prof. Akhil Reed Amar, Yale Law University School.

Prof. Howard C. Anawalt, Santa Clara University School of Law.

Prof. John B. Anderson, Nova University Center for the Study of Law.

Prof. Fran Ansley, University of Tennessee Law School.

Prof. Frank Askin, Rutgers University Law School.

Dean Richard L. Aynes, University of Akron Law Center.

Prof. C. Edwin Baker, University of Pennsylvania Law School.

Prof. Milner S. Ball, University of Georgia School of Law.

Prof. William C. Banks, Syracuse University College of Law.

Prof. Jerome A. Barron, George Washington University National Law Center.

Prof. Kathrine T. Bartlett, Duke University Law School.

Prof. Loftus E. Becker, University of Connecticut School of Law.

Prof. Mary E. Becker, University of Connecticut School of Law.

Prof. Michal R. Belknap, California Western School of Law.

Prof. Leslie Bender, Syracuse University College of Law.

Prof. Paul Bender, University of Arizona College of Law.

Prof. Arthur L. Berney, Boston College Law School.

Prof. Francis X. Beytagh, Ohio State University College of Law.

Prof. Norman Birnbaum, Georgetown University Law Center.

Prof. Vincent A. Blasi, Columbia University School of Law.

Prof. Eric D. Blumenson, Suffolk Law School.

Prof. Michael H. Botein, New York Law School.

Prof. Henry J. Bourguignon, University of Toledo College of Law.

Prof. Dean M. Braveman, Syracuse University College of Law.

Dean Paul Brest, Stanford Law School.

Prof. John C. Brittain, University of Connecticut Law School.

Prof. Abner Brodie, University of Wisconsin Law School.

Prof. Judith Olans Brown, Northeastern University School of Law.

Prof. Mark R. Brown, Stetson University College of Law.

Prof. Ralph S. Brown, Yale University Law School.

Prof. Rebecca L. Brown, Vanderbilt Univ. School of Law.

Prof. Victor Brudney, Harvard University Law School.

Prof. G. Sidney Buchanan, University of Houston Law Center.

Prof. John M. Burkoff, University of Pittsburgh School of Law.

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\*We sign this letter on our own behalf and not as representatives of our respective schools.

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INSTANCES OF USE OF UNITED STATES ARMED FORCES ABROAD, 1798-1989<sup>1</sup>

(Edited by Ellen C. Collier, Specialist in U.S. Foreign Policy, Foreign Affairs and National Defense Division)

The following list indicates approximately 215 times that the United States has utilized

<sup>1</sup>This list through 1975 is reprinted with few changes from: U.S. Congress, House, Committee on International Relations [now Foreign Affairs]. Subcommittee on International Security and Scientific Affairs. Background Information on the Use of U.S. Armed Forces in Foreign Countries, 1975 Revision. Committee print, 94th Congress, 1st session. Prepared by the Foreign Affairs Division, Congressional



military forces abroad in situations of conflict or potential conflict to protect U.S. citizens or promote U.S. interests. The list does not include covert actions or numerous instances in which U.S. forces have been stationed abroad since World War II in occupation forces or for participation in mutual security organizations, base agreements, or routine military assistance or training operations. Because of differing judgments over the actions to be included, other lists may include more or fewer instances.<sup>2</sup>

The instances vary greatly in size of operation, legal authorization, and significance. The number of troops involved range from a few sailors or Marines landed to protect American lives and property to hundreds of thousands in Vietnam and millions in world War II. Some actions were of short duration and some lasted a number of years. In some instances a military officer acted without authorization; some actions were conducted solely under the President's powers as Chief Executive or Commander in Chief; other instances were authorized by Congress in some fashion; five (listed in bold-face type) were declared wars. For most of the instances listed, however, the status of the action under domestic or international law has not been addressed. Thus inclusion in this list does not connote either legality or significance.

**1798-1800—Undeclared Naval War with France.** This contest included land actions, such as that in the Dominican Republic, city of Puerto Plata, where marines captured a French privateer under the guns of the forts.

**1801-05—Tripoli.** The First Barbary War, including the *George Washington* and *Philadelphia* affairs and the Eaton expedition, during which a few marines landed with United States Agent William Eaton to raise a force against Tripoli in an effort to free the crew of the *Philadelphia*. Tripoli declared war but not the United States.

**1806—Mexico (Spanish territory).** Capt. Z. M. Pike, with a platoon of troops, invaded Spanish territory at the headwaters of the Rio Grande deliberately and on orders from Gen. James Wilkinson. He was made prisoner without resistance at a fort he constructed in present day Colorado, taken to Mexico, later released after seizure of his papers.

**1806-10—Gulf of Mexico.** American gunboats operated from New Orleans against Spanish and French privateers, such as *La Fitte*, off the Mississippi Delta, chiefly under Capt. John Shaw and Master Commandant David Porter.

**1810—West Florida (Spanish territory).** Gov. Claiborne of Louisiana, on orders of the President, occupied with troops territory in dispute east of Mississippi as far as the Pearl River, later the eastern boundary of Louisiana. He was authorized to seize as far east as the Perdido River.

**1812—Amelia Island and other parts of east Florida, then under Spain.** Temporary possession was authorized by President Madison

and by Congress, to prevent occupation by any other power; but possession was obtained by Gen. George Matthews in so irregular a manner that his measures were disavowed by the President.

**1812-15—War of 1812.** On June 18, 1812, the United States declared war between the United States and the United Kingdom of Great Britain and Ireland.

**1818—West Florida (Spanish territory).** On authority given by Congress, General Wilkinson seized Mobile Bay in April with 600 soldiers. A small Spanish garrison gave way. Thus U.S. advanced into disputed territory to the Perdido River, as projected in 1810. No fighting.

**1814-18—Marquesas Islands.** Built a fort on island of Nukahiva to protect three prize ships which had been captured from the British.

**1814—Spanish Florida.** Gen. Andrew Jackson took Pensacola and drove out the British with whom the United States was at war.

**1814-25—Caribbean.** Engagements between pirates and American ships or squadrons took place repeatedly especially ashore and offshore about Cuba, Puerto Rico, Santo Domingo, and Yucatan. Three thousand pirate attacks on merchantmen were reported between 1815 and 1823. In 1822 Commodore James Biddle employed a squadron of two frigates, four sloops of war, two brigs, four schooners, and two gunboats in the West Indies.

**1815—Algiers.** The second Barbary War, declared by the opponents but not by the United States. Congress authorized an expedition. A large fleet under Decatur attacked Algiers and obtained indemnities.

**1815—Tripoli.** After securing an agreement from Algiers, Decatur demonstrated with his squadron at Tunis and Tripoli, where he secured indemnities for offenses during the War of 1812.

**1816—Spanish Florida.** United States forces destroyed Nicholls Fort, called also Negro Fort, which harbored raiders making forays into United States territory.

**1816-18—Spanish Florida—First Seminole War.** The Seminole Indians, whose area was a resort for escaped slaves and border ruffians, were attacked by troops under Generals Jackson and Gaines and pursued into northern Florida. Spanish posts were attacked and occupied, British citizens executed.

**1817—Amelia Island (Spanish territory off Florida).** Under orders of President Monroe, United States forces landed and expelled a group of smugglers, adventurers, and freebooters.

**1818—Oregon.** The U.S.S. *Ontario*, dispatched from Washington, landed at the Columbia River and in August took possession. Britain had conceded sovereignty but Russia and Spain asserted claims to the area.

**1820-23—Africa.** Naval units raided the slave traffic pursuant to the 1819 act of Congress.

**1822—Cuba.** United States naval forces suppressing piracy landed on the northwest coast of Cuba and burned a private station.

**1823—Cuba.** Brief landings in pursuit of pirates occurred April 8 near Escondido; April 16 near Cayo Blanco; July 11 at Siquapa Bay; July 21 at Cape Cruz; and October 23 at Camrioca.

**1824—Cuba.** In October the U.S.S. *Porpoise* landed bluejackets near Matanzas in pursuit of pirates. This was during the cruise authorized in 1822.

**1824—Puerto Rico (Spanish territory).** Commodore David Porter with a landing party attacked the town of Fajardo which had sheltered pirates and insulted American

naval officers. He landed with 200 men in November and forced an apology.

**1825—Cuba.** In March cooperating American and British forces landed at Sagua La Grande to capture pirates.

**1827—Greece.** In October and November landing parties hunted pirates on the islands of Argentine, Miconi, and Androse.

**1831-32—Falkland Islands.** To investigate the capture of three American sailing vessels and to protect American interests.

**1832—Sumatra.** February 6 to 9. To punish natives of the town of Quallah Battoo for depredations on American shipping.

**1833—Argentina.** October 31 to November 15. A force was sent ashore at Buenos Aires to protect the interests of the United States and other countries during an insurrection.

**1835-36—Peru.** December 10, 1835 to January 24, 1836, and August 31 to December 7, 1836. Marines protected American interests in Callao and Lima during an attempted revolution.

**1836—Mexico.** General Gaines occupied Nacogdoches (Tex.), disputed territory, from July to December during the Texan war for independence, under orders to cross the "imaginary boundary line" if an Indian outbreak threatened.

**1838-39—Sumatra.** December 24, 1838 to January 4, 1839. To punish natives of the towns of Quallah Battoo and Muckie (Mukki) for depredations on American shipping.

**1840—Fiji Islands.** July. To punish natives for attacking American exploring and surveying parties.

**1841—Drummond Island, Kingsmill Group.** To avenge the murder of a seaman by the natives.

**1841—Samoa.** February 24. To avenge the murder of an American seaman on Upolu Island.

**1842—Mexico.** Commodore T.A.C. Jones, in command of a squadron long cruising off California, occupied Monterey, Calif., on October 19, believing war had come. He discovered peace, withdrew, and saluted. A similar incident occurred a week later at San Diego.

**1843—China.** Sailors and marines from the *St. Louis* were landed after a clash between Americans and Chinese at the trading post in Canton.

**1843—Africa.** November 29 to December 16. Four United States vessels demonstrated and landed various parties (one of 200 marines and sailors) to discourage piracy and the slave trade along the Ivory coast, etc., and to punish attacks by the natives on American seamen and shipping.

**1844—Mexico.** President Tyler deployed U.S. forces to protect Texas against Mexico, pending Senate approval of a treaty of annexation. (Later rejected.) He defended his action against a Senate resolution of inquiry.

**1846-48—Mexican War.** On May 13, 1846, the United States declared war with Mexico.

**1849—Smyrna.** In July a naval force gained release of an American seized by Austrian officials.

**1851—Turkey.** After a massacre of foreigners (including Americans) at Jaffa in January, a demonstration by the Mediterranean Squadron was ordered along the Turkish (Levant) coast.

**1851—Johannis Island (east of Africa).** August. To exact redress for the unlawful imprisonment of the captain of an American whaling brig.

**1852-53—Argentina.** February 3 to 12, 1852; September 17, 1852 to April 1853. Marines were landed and maintained in Buenos Aires to protect American interests during a revolution.

Research Service, Library of Congress, Washington, U.S. Government Printing Office, 1975. 84 p.

<sup>2</sup>Other lists include: Goldwater, Senator Barry. War Without Declaration. A Chronological List of 199 U.S. Military Hostilities Abroad Without a Declaration of War. 1798-1972. Congressional Record, V. 119, July 20, 1973: S14174-14183; U.S. Department of State. Armed Actions Taken by the United States Without a Declaration of War, 1789-1967. Research Project 806A. Historical Studies Division. Bureau of Public Affairs. For a discussion of the evolution of the lists and legal authorization for various actions, see Wormuth, Francis D. and Edwin B. Firmage, To Chain the Dog of War: the War Power of Congress in History and Law. Dallas, Southern Methodist University Press, 1986. Chapter 9, Lists of Wars. p. 133-149.

1853—*Nicaragua*—March 11 to 13. To protect American lives and interests during political disturbances.

1853-54—*Japan*. The "opening of Japan" and the Perry Expedition.

1853-54—*Ryukyu and Bonin Islands*. Commodore Perry on three visits before going to Japan and while waiting for a reply from Japan made a naval demonstration, landing marines twice, and secured a coaling concession from the ruler of Naha on Okinawa; he also demonstrated in the Bonin Islands with the purpose of securing facilities for commerce.

1854—*China*—April 4 to June 15 to 17. To protect American interests in and near Shanghai during Chinese civil strife.

1854—*Nicaragua*—July 9 to 15. San Juan del Norte (Greytown) was destroyed to avenge an insult to the American Minister to Nicaragua.

1855—*China*—May 19 to 21. To protect American interests in Shanghai. August 3 to 4 to fight pirates near Hong Kong.

1855—*Fiji Islands*—September 12 to November 4. To seek reparations for depredations on Americans.

1855—*Uruguay*—November 25 to 29. United States and European naval forces landed to protect American interests during an attempted revolution in Montevideo.

1856—*Panama, Republic of New Grenada*—September 19 to 22. To protect American interests during an insurrection.

1856—*China*—October 22 to December 6. To protect American interests at Canton during hostilities between the British and the Chinese; and to avenge an unprovoked assault upon an unarmed boat displaying the United States flag.

1857—*Nicaragua*—April to May, November to December. To oppose William Walker's attempt to get control of the country. In May Commander C.H. Davis of the United States Navy, with some marines, received Walker's surrender and protected his men from the retaliation of native allies who had been fighting Walker. In November and December of the same year United States vessels *Saratoga*, *Wabash*, and *Fulton* opposed another attempt of William Walker on Nicaragua. Commodore Hiram Paulding's act of landing marines and compelling the removal of Walker to the United States, was tacitly disavowed by Secretary of State Lewis Cass, and Paulding was forced into retirement.

1858—*Uruguay*—January 2 to 27. Forces from two United States warships landed to protect American property during a revolution in Montevideo.

1858—*Fiji Islands*—October 6 to 16. To chastise the natives for the murder of two American citizens.

1858-59—*Turkey*. Display of naval force along the Levant at the request of the Secretary of State after massacre of Americans at Jaffa and mistreatment elsewhere "to remind the authorities (of Turkey) of the power of the United States."

1859—*Paraguay*. Congress authorized a naval squadron to seek redress for an attack on a naval vessel in the Parana River during 1855. Apologies were made after a large display of force.

1859—*Mexico*. Two hundred United States soldiers crossed the Rio Grande in pursuit of the Mexican bandit Cortina.

1859—*China*—July 31 to August 2. For the protection of American interests in Shanghai.

1860—*Angola, Portuguese West Africa*—March 1. To protect American lives and property at Kissemba when the natives became troublesome.

1860—*Colombia, Bay of Panama*—September 27 to October 8. To protect American interests during a revolution.

1863—*Japan*—July 16. To redress an insult to the American flag—firing on an American vessel—at Shimonoseki.

1864—*Japan*—July 14 to August 3. To protect the United States Minister to Japan when he visited Yedo to negotiate concerning some American claims against Japan, and to make his negotiations easier by impressing the Japanese with American power.

1864—*Japan*—September 4 to 14. To compel Japan and the Prince of Nagato in particular to permit the Straits of Shimonoseki to be used by foreign shipping in accordance with treaties already signed.

1865—*Panama*—March 9 and 10. To protect the lives and property of American residents during a revolution.

1866—*Mexico*. To protect American residents, General Sedgwick and 100 men in November obtained surrender of Matamoros. After 3 days he was ordered by U.S. Government to withdraw. His act was repudiated by the President.

1866—*China*—June 20 to July 7. To punish an assault on the American consul at Newchwang; July 14, for consultation with authorities on shore; August 9, at Shanghai, to help extinguish a serious fire in the city.

1867—*Nicaragua*. Marines occupied Managua and Leon.

1867—*Island of Formosa*—June 13. To punish a horde of savages who were supposed to have murdered the crew of a wrecked American vessel.

1868—*Japan (Osaka, Hiogo, Nagasaki, Yokohama, and Negata)*—February 4 to 8 April 4 to May 12, June 12 and 13. To protect American interests during the civil war in Japan over the abolition of the Shogunate and the restoration of the Mikado.

1868—*Uruguay*—February 7 and 8, 19 to 26. To protect foreign residents and the customhouse during an insurrection at Montevideo.

1868—*Colombia*—April. To protect passengers and treasure in transit at Aspinwall during the absence of local police or troops on the occasion of the death of the President of Colombia.

1870—*Mexico*—June 17 and 18. To destroy the pirate ship *Forward*, which had been run aground about 40 miles up the Rio Tecapan.

1870—*Hawaiian Islands*—September 21. To place the American flag at half mast upon the death of Queen Kalama, when the American consul at Honolulu would not assume responsibility for so doing.

1871—*Korea*—June 10 to 12. To punish natives for depredations on Americans, particularly for murdering the crew of the *General Sherman* and burning the schooner, and for later firing on other American small boats taking soundings up the Salee River.

1873—*Colombia (Bay of Panama)*—May 7 to 22, September 23 to October 9. To protect American interests during hostilities over possession of the government of the State of Panama.

1873—*Mexico*. United States troops crossed the Mexican border repeatedly in pursuit of cattle and other thieves. There were some reciprocal pursuits by Mexican troops into border territory. The cases were only technically invasions, if that, although Mexico protested constantly. Notable cases were at Remolina in May 1873 and at Las Cuevas in 1875. Washington orders often supported these excursions. Agreements between Mexico and the United States, the first in 1882, finally legitimized such raids. They continued intermittently, with minor disputes, until 1896.

1874—*Hawaiian Islands*—February 12 to 20. To preserve order and protect American lives and interests during the coronation of a new king.

1876—*Mexico*—May 18. To police the town of Matamoros temporarily while it was without other government.

1882—*Egypt*—July 14 to 18. To protect American interests during warfare between British and Egyptians and looting of the city of Alexandria by Arabs.

1885—*Panama (Colon)*—January 18 and 19. To guard the valuables in transit over the Panama Railroad, and the safes and vaults of the company during revolutionary activity. In March, April, and May in the cities of Colon and Panama, to reestablish freedom of transit during revolutionary activity.

1888—*Korea*—June. To protect American residents in Seoul during unsettled political conditions, when an outbreak of the populace was expected.

1888—*Haiti*—December 20. To persuade the Haitian Government to give up an American steamer which had been seized on the charge of breach of blockade.

1888-89—*Samoa*—November 14, 1888, to March 20, 1889. To protect American citizens and the consulate during a native civil war.

1889—*Hawaiian Islands*—July 30 and 31. To protect American interests at Honolulu during a revolution.

1890—*Argentina*—A naval party landed to protect U.S. consulate and legation in Buenos Aires.

1891—*Haiti*—To protect American lives and property on Navassa Island.

1891—*Bering Strait*—July 2 to October 5. To stop seal poaching.

1891—*Chile*—August 28 to 30. To protect the American consulate and the women and children who had taken refuge in it during a revolution in Valparaiso.

1893—*Hawaii*—January 16 to April 1. Ostensibly to protect American lives and property; actually to promote a provisional government under Sanford B. Dole. This action was disavowed by the United States.

1894—*Brazil*—January. To protect American commerce and shipping at Rio de Janeiro during a Brazilian civil war. No landing was attempted but there was a display of naval force.

1894—*Nicaragua*—July 6 to August 7. To protect American interests at Bluefields following a revolution.

1894-95—*China*. Marines were stationed at Tientsin and penetrated to Peking for protection purposes during the Sino-Japanese War.

1894-95—*China*. Naval vessel beached and used as a fort at Newchwang for protection of American nationals.

1894-96—*Korea*—July 24, 1894 to April 3, 1896. To protect American lives and interests at Seoul during and following the Sino-Japanese War. A guard of marines was kept at the American legation most of the time until April 1896.

1895—*Colombia*—March 8 to 9. To protect American interests during an attack on the town of Bocas del Toro by a bandit chieftain.

1896—*Nicaragua*—May 2 to 4. To protect American interests in Corinto during political unrest.

1898—*Nicaragua*—February 7 and 8. To protect American lives and property at San Juan del Sur.

1898—*The Spanish-American War*. On April 25, 1898, the United States declared war with Spain.

1898-99—*China*—November 5, 1898 to March 15, 1899. To provide a guard for the legation at Peking and the consulate at Tientsin dur-



ing contest between the Dowager Empress and her son.

1899—*Nicaragua*. To protect American interests at San Juan del Norte, February 22 to March 5, and at Bluefields a few weeks later in connection with the insurrection of Gen. Juan P. Reyes.

1899—*Samoa*.—March 13 to May 15. To protect American interests and to take part in a bloody contention over the succession to the throne.

1899–1901—*Philippine Islands*. To protect American interests following the war with Spain, and to conquer the islands by defeating the Filipinos in their war for independence.

1900—*China*.—May 24 to September 28. To protect foreign lives during the Boxer rising, particularly at Peking. For many years after this experience a permanent legation guard was maintained in Peking, and was strengthened at times as trouble threatened.

1901—*Colombia (State of Panama)*.—November 20 to December 4. To protect American property on the Isthmus and to keep transit lines open during serious revolutionary disturbances.

1902—*Colombia*.—April 16 to 23. To protect American lives and property at Bocas del Toro during a civil war.

1902—*Colombia (State of Panama)*.—September 17 to November 18. To place armed guards on all trains crossing the Isthmus and to keep the railroad line open.

1903—*Honduras*.—March 23 to 30 or 31. To protect the American consulate and the steamship wharf at Puerto Cortez during a period of revolutionary activity.

1903—*Dominican Republic*.—March 30 to April 21. To protect American interests in the city of Santo Domingo during a revolutionary outbreak.

1903—*Syria*.—September 7 to 12. To protect the American consulate in Beirut when a local Moslem uprising was feared.

1903–04—*Abyssinia*. Twenty-five marines were sent to Abyssinia to protect the U.S. Consul General while he negotiated a treaty.

1903–14—*Panama*. To protect American interests and lives during and following the revolution for independence from Colombia over construction of the Isthmus Canal. With brief intermissions, United States Marines were stationed on the Isthmus from November 4, 1903, to January 21, 1914, to guard American interests.

1904—*Dominican Republic*.—January 2 to February 11. To protect American interests in Puerto Plata and Sosua and Santo Domingo City during revolutionary fighting.

1904—*Tangier, Morocco*. "We want either Perdicaris alive or Raisula dead." Demonstration by a squadron to force release of a kidnapped American. Marine guard landed to protect consul general.

1904—*Panama*.—November 17 to 24. To protect American lives and property at Ancon at the time of a threatened insurrection.

1904–05—*Korea*.—January 5, 1904, to November 11, 1905. To guard the American legation in Seoul.

1904–05—*Korea*. Marine guard sent to Seoul for protection during Russo-Japanese War.

1906–09—*Cuba*.—September 1906 to January 23, 1909. Intervention to restore order, protect foreigners, and establish a stable government after serious revolutionary activity.

1907—*Honduras*.—March 18 to June 8. To protect American interests during a war between Honduras and Nicaragua; troops were stationed for a few days or weeks in Trujillo, Ceiba, Puerto Cortez, San Pedro, Laguna and Choloma.

1910—*Nicaragua*.—February 22. During a civil war, to get information of conditions at Corinto; May 19 to September 4, to protect American interests at Bluefields.

1911—*Honduras*.—January 26 and some weeks thereafter. To protect American lives and interests during a civil war in Honduras.

1911—*China*. Approaching stages of the nationalist revolution. An ensign and 10 men in October tried to enter Wuchang to rescue missionaries but retired on being warned away. A small landing force guarded American private property and consulate at Hankow in October. A marine guard was established in November over the cable stations at Shanghai. Landing forces were sent for protection in Nanking, Chinkiang, Taku and elsewhere.

1912—*Honduras*. Small force landed to prevent seizure by the government of an American-owned railroad at Puerto Cortez. Forces withdrawn after the United States disapproved the action.

1912—*Panama*. Troops, on request of both political parties, supervised elections outside the Canal Zone.

1912—*Cuba*.—June 5 to August 5. To protect American interests on the Province of Oriente, and in Havana.

1912—*China*.—August 24 to 26, on Kentucky Island, and August 26 to 30 at Camp Nicholson. To protect Americans and American interests during revolutionary activity.

1912—*Turkey*.—November 18 to December 3. To guard the American legation at Constantinople during a Balkan War.

1912–25—*Nicaragua*.—August to November 1912. To protect American interests during an attempted revolution. A small force serving as a legation guard and as a promoter of peace and governmental stability, remained until August 5, 1925.

1912–41—*China*. The disorders which began with the Kuomintang rebellion in 1912, which were redirected by the invasion of China by Japan and finally ended by war between Japan and the United States in 1941, led to demonstrations and landing parties for the protection of U.S. interests in China continuously and at many points from 1912 on to 1941. The guard at Peking and along the route to the sea was maintained until 1941. In 1927, the United States had 5,670 troops ashore in China and 44 naval vessels in its waters. In 1933 the United States had 3,027 armed men ashore. All this protective action was in general terms based on treaties with China ranging from 1858 to 1901.

1913—*Mexico*.—September 5 to 7. A few marines landed at Claris Estero to aid in evacuating American citizens and others from the Yaqui Valley, made dangerous for foreigners by civil strife.

1914—*Haiti*.—January 29 to February 9, February 20 to 21, October 19. To protect American nationals in a time of dangerous unrest.

1914—*Dominican Republic*.—June and July. During a revolutionary movement, United States naval forces by gunfire stopped the bombardment of Puerto Plata, and by threat of force maintained Santo Domingo City as a neutral zone.

1914–17—*Mexico*. The undeclared Mexican-American hostilities following the *Dolphin* affair and Villa's raids included capture of Vera Cruz and later Pershing's expedition into northern Mexico.

1915–34—*Haiti*.—July 28, 1915, to August 15, 1934. To maintain order during a period of chronic and threatened insurrection.

1916—*China*. American forces landed to quell a riot taking place on American property in Nanking.

1916–24—*Dominican Republic*.—May 1916 to September 1924. To maintain order during a

period of chronic and threatened insurrection.

1917—*China*. American troops were landed at Chungking to protect American lives during a political crisis.

1917–18—*World War I*. On April 6, 1917, the United States declared war with Germany and on December 7, 1917, with Austria-Hungary.

1917–22—*Cuba*. To protect American interests during an insurrection and subsequent unsettled conditions. Most of the United States armed forces left Cuba by August 1919, but two companies remained at Camaguey until February 1922.

1918–19—*Mexico*. After withdrawal of the Pershing expedition, U.S. troops entered Mexico in pursuit of bandits at least three times in 1918 and six in 1919. In August 1918 American and Mexican troops fought at Nogales.

1918–20—*Panama*. For police duty according to treaty stipulations, at Chiriqui, during election disturbances and subsequent unrest.

1918–20—*Soviet Russia*. Marines were landed at and near Vladivostok in June and July to protect the American consulate and other points in the fighting between the Bolshevik troops and the Czech Army which had traversed Siberia from the western front. A joint proclamation of emergency government and neutrality was issued by the American, Japanese, British, French, and Czech commanders in July and the party remained until late August. In August 7,000 men were landed in Vladivostok and remained until January 1920, as part of an allied occupation force. In September 1918, 5,000 American troops joined the allied intervention force at Archangel and remained until June 1919. These operations were to offset effects of the Bolshevik revolution in Russia and were partly supported by Czarist or Kerensky elements.

1919—*Dalmatia*. U.S. forces were landed at Trau at the request of Italian authorities to police order between the Italians and Serbs.

1919—*Turkey*. Marines from the U.S.S. *Ari zona* were landed to guard the U.S. Consulate during the Greek occupation of Constantinople.

1919—*Honduras*.—September 8 to 12. A land force was sent ashore to maintain order in a neutral zone during an attempted revolution.

1920—*China*.—March 14. A landing force was sent ashore for a few hours to protect lives during a disturbance at Kiukiang.

1920—*Guatemala*.—April 9 to 27. To protect the American Legation and other American interests, such as the cable station, during a period of fighting between Unionists and the Government of Guatemala.

1920–22—*Russia (Siberia)*.—February 16, 1920, to November 19, 1922. A marine guard to protect the United States radio station and property on Russian Island, Bay of Vladivostok.

1921—*Panama-Costa Rica*. American naval squadrons demonstrated in April on both sides of the Isthmus to prevent war between the two countries over a boundary dispute.

1922—*Turkey*.—September and October. A landing force was sent ashore with consent of both Greek and Turkish authorities, to protect American lives and property when the Turkish Nationalists entered Smyrna.

1922–23—*China*. Between April 1922 and November 1923 marines were landed five times to protect Americans during periods of unrest.

1924—*Honduras*.—February 28 to March 31, September 10 to 15. To protect American lives and interests during election hostilities.

1924—*China*—September. Marines were landed to protect Americans and other foreigners in Shanghai during Chinese factional hostilities.

1925—*China*—January 15 to August 29. Fighting of Chinese factions accompanied by riots and demonstrations in Shanghai necessitated landing American forces to protect lives and property in the International Settlement.

1925—*Honduras*—April 19 to 21. To protect foreigners at La Ceiba during a political upheaval.

1925—*Panama*—October 12 to 23. Strikes and rent riots led to the landing of about 600 American troops to keep order and protect American interests.

1926—*China*—August and September. The Nationalist attack on Hankow necessitated the landing of American naval forces to protect American citizens. A small guard was maintained at the consulate general even after September 16, when the rest of the forces were withdrawn. Likewise, when Nationalist forces captured Kiukiang, naval forces were landed for the protection of foreigners November 4 to 6.

1926-33—*Nicaragua*—May 7 to June 5, 1926; August 27, 1926, to January 3, 1933. The coup d'état of General Chamorro aroused revolutionary activities leading to the landing of American marines to protect the interests of the United States. United States forces came and went, but seem not to have left the country entirely until January 3, 1933. Their work included activity against the outlaw leader Sandino in 1928.

1927—*China*—February. Fighting at Shanghai caused American naval forces and marines to be increased there. In March a naval guard was stationed at the American consulate at Nanking after Nationalist forces captured the city. American and British destroyers later used shell fire to protect Americans and other foreigners. Subsequently additional forces of marines and naval vessels were stationed in the vicinity of Shanghai and Tientsin.

1932—*China*. American forces were landed to protect American interests during the Japanese occupation of Shanghai.

1933—*Cuba*. During a revolution against President Gerardo Machado naval forces demonstrated but no landing was made.

1934—*China*. Marines landed at Foochow to protect the American Consulate.

1940—*Newfoundland, Bermuda, St. Lucia, Bahamas, Jamaica, Antigua, Trinidad, and British Guiana*. Troops were sent to guard air and naval bases obtained by negotiation with Great Britain. These were sometimes called lend-lease bases.

1941—*Greenland*. Taken under protection of the United States in April.

1941—*Netherlands (Dutch Guiana)*. In November the President ordered American troops to occupy Dutch Guiana but by agreement with the Netherlands government in exile, Brazil cooperated to protect aluminum ore supply from the bauxite mines in Surinam.

1941—*Iceland*. Taken under the protection of the United States, with consent of its Government, for strategic reasons.

1941—*Germany*. Sometime in the spring the President ordered the Navy to patrol ship lanes to Europe. By July U.S. warships were convoying and by September were attacking German submarines. In November, the Neutrality Act was partly repealed to protect military aid to Britain, Russia, etc.

1941-45—*World War II*. On December 8, 1941, the United States declared war with Japan, on December 11 with Germany and

Italy, and on June 5, 1942, with Bulgaria, Hungary and Romania.

1945—*China*. In October 50,000 U.S. Marines were sent to North China to assist Chinese Nationalist authorities in disarming and repatriating the Japanese in China and controlling ports, railroads, and airfields. This was in addition to approximately 60,000 U.S. forces remaining in China at the end of World War II.

1946—*Trieste*. President Truman ordered the augmentation of U.S. troops along the zonal occupation line and the reinforcement of air forces in northern Italy after Yugoslav forces shot down an unarmed U.S. Army transport plane flying over Venezia Giulia. Earlier U.S. naval units had been dispatched to the scene.

1948—*Palestine*. A marine consular guard was sent to Jerusalem to protect the U.S. Consul General.

1948-49—*China*. Marines were dispatched to Nanking to protect the American Embassy when the city fell to Communist troops, and to Shanghai to aid in the protection and evacuation of Americans.

1950-53—*Korean War*. The United States responded to North Korean invasion of South Korea by going to its assistance, pursuant to United Nations Security Council resolutions.

1950-55—*Formosa (Taiwan)*. In June 1950 at the beginning of the Korean War President Truman ordered the U.S. Seventh Fleet to prevent Chinese Communist attacks upon Formosa and Chinese Nationalist operations against mainland China.

1954-55—*China*. Naval units evacuated U.S. civilians and military personnel from the Tachen Islands.

1956—*Egypt*. A marine battalion evacuated U.S. nationals and other persons from Alexandria during the Suez crisis.

1958—*Lebanon*. Marines were landed in Lebanon at the invitation of its government to help protect against threatened insurrection supported from the outside.

1959-60—*The Caribbean*. 2d Marine Ground Task Force was deployed to protect U.S. nationals during the Cuban crisis.

1962—*Cuba*. President Kennedy instituted a "quarantine" on the shipment of offensive missiles to Cuba from the Soviet Union. He also warned the Soviet Union that the launching of any missile from Cuba against any nation in the Western Hemisphere would bring about U.S. nuclear retaliation on the Soviet Union. A negotiated settlement was achieved in a few days.

1962—*Thailand*. The 3d Marine Expeditionary Unit landed on May 17, 1962 to support that country during the threat of Communist pressure from outside; by July 30 the 5,000 marines had been withdrawn.

1962-75—*Laos*. From October 1962 until 1975, the United States played a role of military support in Laos.

1964—*Congo*. The United States sent four transport planes to provide airlift for Congolese troops during a rebellion and to transport Belgian paratroopers to rescue foreigners.

1964-73—*Vietnam War*. U.S. military advisers had been in South Vietnam for a decade, and their numbers had been increased as the military position of the Saigon government became weaker. After the attacks on U.S. destroyers in the Tonkin Gulf, President Johnson asked for a resolution expressing U.S. determination to support freedom and protect peace in Southeast Asia. Congress responded with the Tonkin Gulf Resolution, expressing support for "all necessary measures" the President might take to repel armed attack against U.S. forces and prevent further ag-

gression. Following this resolution, and following a Communist attack on a U.S. installation in central Vietnam, the United States escalated its participation in the war to a peak of 543,000 in April 1969.

1965—*Dominican Republic*. The United States intervened to protect lives and property during a Dominican revolt and sent more troops as fears grew that the revolutionary forces were coming increasingly under Communist control.

1967—*Congo*. The United States sent three military transport aircraft with crews to provide the Congo central government with logistical support during a revolt.

1970—*Cambodia*. U.S. troops were ordered into Cambodia to clean out Communist sanctuaries from which Viet Cong and North Vietnamese attacked U.S. and South Vietnamese forces in Vietnam. The object of this attack, which lasted from April 30 to June 30, was to ensure the continuing safe withdrawal of American forces from South Vietnam and to assist the program of Vietnamization.

1974—*Evacuation from Cyprus*. United States naval forces evacuated U.S. civilians during hostilities between Turkish and Greek Cypriot forces.

1975—*Evacuation from Vietnam*. On April 3, 1975, President Ford reported U.S. naval vessels, helicopters, and marines had been sent to assist in evacuation of refugees and U.S. nationals from Vietnam.<sup>3</sup>

1975—*Evacuation from Cambodia*. On April 12, 1975, President Ford reported that he had ordered U.S. military forces to proceed with the planned evacuation of U.S. citizens from Cambodia.

1975—*South Vietnam*. On April 30, 1975, President Ford reported that a force of 70 evacuation helicopters and 865 marines had evacuated about 1,400 U.S. citizens and 5,500 third country nationals and South Vietnamese from landing zones near the U.S. Embassy in Saigon and Tan Son Nhut Airfield.

1975—*Mayaguez incident*. On May 15, 1975, President Ford reported he had ordered military forces to retake the SS *Mayaguez*, a merchant vessel en route from Hong Kong to Thailand with U.S. citizen crew which was seized from Cambodian naval patrol boats in international waters and forced to proceed to a nearby island.

1976—*Lebanon*. On July 22 and 23, 1974, helicopters from five U.S. naval vessels evacuated approximately 250 Americans and Europeans from Lebanon during fighting between Lebanese factions after an overland convoy evacuation had been blocked by hostilities.

1976—*Korea*. Additional forces were sent to Korea after two American military personnel were killed while in the demilitarized zone between North and South Korea for the purpose of cutting down a tree.

1978—*Zaire*. From May 19 through June 1978, the United States utilized military transport aircraft to provide logistical support to Belgian and French rescue operations in Zaire.

1980—*Iran*. On April 26, 1980, President Carter reported the use of six U.S. transport planes and eight helicopters in an unsuccessful

<sup>3</sup>This and subsequent mentions of Presidential reports refer to reports the President has submitted to Congress that might be considered pursuant to the War Powers Resolution (Public Law 91-148, November 7, 1973). For a discussion of the War Powers Resolution and various types of reports required under it, see The War Powers Resolution: Fifteen Years of Experience, CRS Report 88-529 F; or The War Powers Resolution: Presidential Compliance, CRS Issue Brief IB81050, updated regularly.



ful attempt to rescue American hostages being held in Iran.

1981—*El Salvador*. After a guerilla offensive against the government of El Salvador, additional U.S. military advisers were sent to El Salvador, bringing the total to approximately 55, assist in training government forces in counterinsurgency. The number of advisers remained at the level of approximately 55 at the end of October 1989.

1981—*Libya*. On August 19, 1981, U.S. planes based on the carrier *Nimitz* shot down two Libyan jets over the Gulf of Sidra after one of the Libyan jets had fired a heat-seeking missile. The United States periodically held freedom of navigation exercises in the Gulf of Sidra, claimed by Libya as territorial waters but considered international waters by the United States.

1982—*Sinai*. On March 19, 1982, President Reagan reported the deployment of military personnel and equipment to participate in the Multinational Force and Observers in the Sinai. Participation had been authorized by the Multinational Force and Observers Resolution, Public Law 97-132.

1982—*Lebanon*. On August 21, 1982, President Reagan reported the dispatch of 80 marines to serve in the multinational force to assist in the withdrawal of members of the Palestine Liberation force from Beirut. The Marines left Sept. 20, 1982.

1982—*Lebanon*. On September 29, 1982, President Reagan reported the deployment of 1200 marines to serve in a temporary multinational force to facilitate the restoration of Lebanese government sovereignty. On Sept. 29, 1983, Congress passed the Multinational Force in Lebanon Resolution (P.L. 98-119) authorizing the continued participation for eighteen months.

1983—*Egypt*. After a Libyan plane bombed a city in Sudan on March 18, 1983, and Sudan and Egypt appealed for assistance, the United States dispatched an AWACS electronic surveillance plane to Egypt.

1983-89—*Honduras*. In July 1983 the United States undertook a series of exercises in Honduras that some believed might lead to conflict with Nicaragua. On March 25, 1986, unarmed U.S. military helicopters and crewmen ferried Honduran troops to the Nicaraguan border to repel Nicaraguan troops.

1983—*Chad*. On August 8, 1983, President Reagan reported the deployment of two AWACS electronic surveillance planes and eight F-15 fighter planes and ground logistical support forces to assist Chad against Libyan and rebel forces.

1983—*Grenada*. On October 25, 1983, President Reagan reported a landing on Grenada by Marines and Army airborne troops to protect lives and assist in the restoration of law and order and at the request of five members of the Organization of Eastern Caribbean States.

1984—*Persian Gulf*. On June 5, 1984, Saudi Arabian jet fighter planes, aided by intelligence from a U.S. AWACS electronic surveillance aircraft and fueled by a U.S. KC-10 tanker, shot down two Iranian fighter planes over an area of the Persian Gulf proclaimed as a protected zone for shipping.

1985—*Italy*. On October 10, 1985, U.S. Navy pilots intercepted an Egyptian airliner and forced it to land in Sicily. The airliner was carrying the hijackers of the Italian cruise ship *Achille Lauro* who had killed an American citizen during the hijacking.

1986—*Libya*. On March 26, 1986, President Reagan reported to Congress that, on March 24 and 25, U.S. forces, while engaged in freedom of navigation exercises around the Gulf of Sidra, had been attacked by Libyan mis-

siles and the United States had responded with missiles.

1986—*Libya*. On April 16, 1986, President Reagan reported that U.S. air and naval forces had conducted bombing strikes on terrorist facilities and military installations in Libya.

1986—*Bolivia*. U.S. Army personnel and aircraft assisted Bolivia in anti-drug operations.

1987-88—*Persian Gulf*. After the Iran-Iraq War resulted in several military incidents in the Persian Gulf, the United States increased U.S. Navy forces operating in the Persian Gulf and adopted a policy of reflagging and escorting Kuwaiti oil tankers through the Gulf. President Reagan reported that U.S. ships had been fired upon or struck mines or taken other military action on September 23, October 10, and October 20, 1987 and April 19, July 4, and July 14, 1988. The United States gradually reduced its forces after a cease-fire between Iran and Iraq on August 20, 1988.

1988—*Panama*. In mid-March and April 1988, during a period of instability in Panama and as pressure grew for Panamanian military leader General Noriega to resign, the United States sent 1,000 troops to Panama, to "further safeguard the canal, U.S. lives, property and interests in the area." The forces supplemented 10,000 U.S. military personnel already in Panama.

1989—*Libya*. On January 4, 1989, two U.S. Navy F-14 aircraft based on the U.S.S. *John F. Kennedy* shot down two Libyan jet fighters over the Mediterranean Sea about 70 miles north of Libya. The U.S. pilots said the Libyan planes had demonstrated hostile intentions.

1989—*Panama*. On May 11, 1989, in response to General Noriega's disregard of the results of the Panamanian election, President Bush ordered a brigade-sized force of approximately 1,900 troops to augment the estimated 11,000 U.S. forces already in the area.

1989—*Andean Initiative in War on Drugs*. On September 15, 1989, President Bush announced that military and law enforcement assistance would be sent to help the Andean nations of Colombia, Bolivia, and Peru combat illicit drug producers and traffickers. By mid-September there were 50-100 U.S. military advisers in Colombia in connection with transport and training in the use of military equipment, plus seven Special Forces teams of 2-12 persons to train troops in the three countries.

1989—*Philippines*. On December 1, 1989, President Bush ordered U.S. fighter planes from Clark Air Base in the Philippines to assist the Aquino government to repel a coup attempt. In addition, 100 marines were sent from the U.S. Navy base at Subic Bay to protect the U.S. Embassy in Manila.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

#### USE OF FORCE IN THE PERSIAN GULF

Mr. BRADLEY. Mr. President, the most serious issue a Senator must ever decide involves war and peace. In the Persian Gulf crisis, we have three choices: Never use force to break Iraq's seizure and occupation of Kuwait; make war now; or continue economic sanctions now while keeping open the possibility of war later. Among these three choices, I choose the third course.

Most people do not know how we got to where we are today. Put bluntly, for

20 years, the United States has ignored and excused Saddam Hussein's ruthless and tyrannical actions. We cannot escape the fact that beginning in 1975, the Ford administration stood silent while the regime Saddam helped to create made war on its own Kurdish citizens, just as it had done earlier against Iraqi Shias and Jews. We cannot escape the fact that the Carter administration, preoccupied with Iran as the source of evil in the Middle East, did nothing when Saddam Hussein invaded that nation for territory and oil. And we cannot escape the fact that the conduct of our policy toward Iraq by Presidents Reagan and Bush, from the end of the war with Iran to the moment of his invasion in August, encouraged Saddam to believe, incorrectly, that we could turn a similar blind eye to an Iraqi invasion of Kuwait.

"We never expected that he would take all of Kuwait," the former United States Ambassador has said, in explaining why she told Saddam that we had no opinion on Arab-Arab disputes. Ten years ago, the Carter administration officials never expected that Saddam would try to take all of Khuzistan, the oil-rich province of Iran populated by Arabs. In 1980, we were truly taken by surprise. In 1990, it was a serious diplomatic blunder.

When Saddam went ahead and seized all of Kuwait in August, I supported the American response. No longer would we turn a blind eye to Saddam's evil acts of brutish opportunism. His aggression would be countered. President Bush stated our goals clearly, and persuaded nearly every civilized nation to endorse those goals: We would act to deter any further advance by Iraqi troops toward Saudi Arabia, with sufficient military force to hold them back and attack them by air. We would isolate Iraq from the international economic system, with sanctions to deny him markets for his export, oil, to freeze his foreign financial assets, and to deny his access to spare parts and supplies on which his military machine depends. Above all, we sent the message to Saddam Hussein that we would be patient and steadfast in our insistence that he must leave Kuwait if he ever wished to rejoin the community of nations. Saddam Hussein might try to gamble that America and the coalition would lose its patience, but we were so united in early fall, at home and abroad, that he would surely have been making a deadly mistake.

A unified sense of national purpose, a strong international coalition, economic sanctions unprecedented in their breadth and impact, enough military force to hold Saddam back, and firm, patient pressure—these were the tools that the administration developed to get the Iraqis out of Kuwait. I believe they can work. I said so at the time. I still believe that. But on November 7, President Bush, for reasons that are

yet unclear, added an option for all-out war that completely changed the complexion of our response to Saddam Hussein.

The threat of invading Iraq and Kuwait by deploying an extra 200,000 troops necessary to carry it out, overshadowed all of the other tools the President had arrayed against Iraq. The size of the deployment meant that we could not rotate troops to continue a consistent threat over the long term. The President's policy lost its flexibility. The powerful tools of sanctions, multilateral action, and firm, patient pressure were abandoned before they were allowed to work.

To be effective at all, the new brinkmanship policy required a willingness on the part of the American people to undertake a huge, major war if Saddam Hussein did not comply with our demands by an arbitrary date, January 15. As Presidents Woodrow Wilson and Franklin Roosevelt knew when they waited before committing the United States to the terrible world wars of this century, most Americans must understand and generally agree with the reasons for war, because every American will be a part of fighting it. For Wilson, declaring war was a painful, idealistic act to "make the world safe for democracy." For FDR, declaring war meant defending America against forces "endeavoring to enslave the whole world \* \* \*" and "moving toward this hemisphere." In the one case it was great principle, and in the other it was self-defense that motivated us. President Bush asks for war to punish aggression and to secure access to oil and jobs.

The question is: How do we get Iraq out of Kuwait? I prefer, for now, to strangle Saddam Hussein with economic sanctions which cost less in terms of American lives and dollars than would a massive military invasion that costs thousands of American lives, billions of additional taxpayer dollars, and endangers our long-term vital interests in the region.

To use massive force now would be a serious error, for even victory has a high price. First, there could be a power vacuum and civil chaos in Iraq, because of the United States military action. We could be spilling American blood to make the region safe for Iranian and Syrian domination. Ambitious Baathist and Islamic powers in Syria and Iran would welcome the opportunity to fill a vacuum in Iraq.

In these circumstances, only the United States could keep Iraq out of Syrian and Iranian hands. We would have to fill the power vacuum ourselves, with a military presence in the region for the indefinite future, at a cost of untold billions to American taxpayers. But to do so would quickly make us the infidel occupier. We would invite continuous terrorist attacks such as those that drove us out of Bei-

rut. Even our present coalition partners want us out of the region as soon as possible. Simply put, we could not last long controlling and occupying a Muslim country.

Second, a massive United States military victory in Iraq, killing tens of thousands of Arabs, would make the United States the main enemy of millions of Arabs for generations. It wouldn't be just Iraqis, Iranians, and Islamic zealots referring to our Nation as the Great Satan or seeing the United States as a mortal threat. It would be many well-meaning people throughout the Arab and Islamic world. A region with a traditional xenophobia against Crusaders, Ottoman Turks, British imperialists, and any other outsiders remembers those who came and killed indiscriminately.

Most disturbing, we have to think about what the administration's policy of disproportionate force would look like to Arabs in the aftermath of a war. The policy as I understand it is to go all out. Remember, "No more Vietnams." This means a force short of nuclear war but highly disproportionate to defeat and punish the aggressor so that deterrence will work in the future with a mere threat of war. Casualties would soar. Other Arabs would say that we put little value on Arab lives primarily because they are not Western. Even the cowardly Persian Gulf government official who cynically referred to our troops as "white slaves" fighting the Arabs' war for them could easily turn on us as "white killers" responsible for Arab deaths.

Tightening the economic noose around Saddam Hussein, by contrast, would not create a power vacuum or enrage Arab masses against the United States. Sanctions are being applied by many other countries. The undeniable suffering they will cause would be the shared responsibility of the entire international community that imposed them, including all of Iraq's Arab neighbors who are most directly responsible for enforcing them. If we continue to help enforce sanctions, and deter further aggression with firm and patient determination, we would minimize the risks of rejection, ostracism, and terrorist reprisals by important constituencies of the Arab world. And if sanctions eventually prove ineffective, it would be clear even to the Arab partners in our coalition that only force remained as the option. By that time, the application of force could be less American, more multinational, clear to everyone as the last resort for ending the Iraqi occupation of another Arab country.

Third, the negative reaction from even our Arab partners to such a premature, massively destructive U.S. military action would likely impel our Government to make it up to the Arabs. A course likely to be chosen would be to bludgeon Israel into ac-

cepting a solution to the Palestinian question which would be far closer to the Arab negotiating position than to a fair arrangement that ensures Israel's security. If you doubt that could happen, just remember: the United States turned a blind eye to Syria's final solution to the Lebanese problem. We have begun to see hints of a shift in America's attitude toward Israel—look at the American votes against Israel in the United Nations, justified as always because "We have to keep the coalition together." Pressure on Israel to make a bad agreement could easily intensify in the aftermath of a destruction of Iraq.

Fourth, a war costing thousands of American lives and billions of taxpayer dollars could lead to isolationist pressures here at home. The conflict would not be like the invasions of Grenada or Panama, or the bombing of Libya, that Americans watched on TV the day we watch Sylvester Stallone in the movies, just one successful gunfight after another. Besides thousands of American deaths, there will be continuing threats of terrorism that will alter the lives of all American travelers. Remember the bombing of Pan Am flight 103. Disruptions in oil supplies will increase prices for gasoline and home heating oil, and make this recession far, far worse than it already is. To conduct even a short, successful war will double the \$30 billion Desert Shield has already cost. Who will pay for this? Our allies will not. The American taxpayer will be asked to shell out again, this time in amounts that might push a slowing economy into a massive collapse. Once again, Americans will see our involvements with other nations as leading to war and damaging our economic prosperity. The result could be that we retreat within ourselves, forsaking the growth and opportunity created by a peaceful global order, and replacing them with self-destructive isolationism. In my view, that would be a very tragic loss at a critical time, one that I do not believe the administration has even considered.

President Bush and Secretary Baker apparently have not addressed these four most probable outcomes from using massive military force. They have not thought apparently through how to deal with the potential power vacuum in Iraq, or how to cushion the negative Arab reaction to the use of massive force, or how to resist pressure from our Arab coalition partners to sell out Israel, or how to prevent an isolationist reaction to a bloody war whose purpose has been inadequately explained. Because they have not prepared for tomorrow's reaction, they should not commence offensive action today.

What they have told us, however, is that there is something far deeper than our national interest in the region that



compels us to take this impatient, beligerent, risky stance. It is the new world order, with America offering a new paradigm for leadership. But if this first crisis in the post-cold-war world is to be resolved simply by a blind rush to the use of force, what is so new about the new world order?

The lessons of the 1930's are not simply that military aggression must be met with equal or superior force immediately. People conveniently forget that if Hitler's earliest aggression—against the Rhineland—or Japan's earliest aggression—against Manchuria—or Mussolini's earliest aggression—against Ethiopia—had been met with strong deterrent measures, including precautionary international military preparations and strong economic reprisals, the Allies might never have had to face the awful choice of war or appeasement. That's the lesson of the 1930's, and it is directly applicable to the gulf. We should stay the course of military deterrence and increasingly stringent economic and psychological pressure, not lurch to war under the illusion that it will be cheap, short, heroic, or conclusive.

To start with, I will say that I believe January 15 is far too early for any use of force. The U.N. Security Council accepted that day as the end of the moratorium after which force might be used at any time. The Bush administration, without any authorization from the United Nations or from this Congress, declared it to be a deadline after which war appeared to be all but automatic. Such decisions should not be placed on autopilot. We should not gamble American lives on whether Saddam Hussein, an isolated megalomaniac, will learn to rationally assess his interests within the next few days. I suggest that this Congress should set a new date, one that gives us control over our actions, and that gives sanctions enough time to cut into Iraq's supply of spare parts and military equipment so that we will attack his forces when and where they are at their weakest rather than at their strongest points. October 1, 1991, for example, is to me an appropriate date to reopen the possibility of an unprovoked offensive action against Iraq. Indeed, it may well prove at that time to be the only way to get Saddam Hussein out of Kuwait.

But even then, October 1 would not be an automatic deadline after which an American attack would follow immediately. Between now and October, Congress would have the obligation to consider all aspects of the Persian Gulf crisis. We would not be rushed into either accepting or rejecting any Presidential decision about the use of force.

If October 1 comes, and Saddam has not yet left Kuwait, the President would then be able to come to us with a request for the immediate use of force if he believed that Iraq would not

leave Kuwait otherwise. Having had months to consider the matter seriously, Congress could promise the President an expedited 3-day procedure to consider the request after this period of debate. Remember, since President Bush changed to an offensive strategy on November 2, the Congress deliberated this grave issue for only 2 days.

Between now and October 1, I believe the United States should return to a defensive, deterrent posture, reducing our troops at least to the level where they could be rotated to remain fresh and effective. The international coalition fully supports a defensive posture, and this would give us a chance to restore the balance between the United States and coalition troops so that this would not be seen as overwhelmingly an American military action. We would continue to maintain a full complement of equipment in Saudi Arabia and a surge capacity so that we could restore an offensive force to the region within days if it became necessary, or if Congress authorized it.

The advantages of this approach are many. It would restore to our confrontation with Iraq the power of steadily mounting pressure. It would put the international coalition and comprehensive sanctions once again at the forefront of our arsenal. It would give the American people, in part through their representatives in Congress, a chance to weigh our Nation's interests and to enter war, if and when it is finally necessary, as a unified committed nation. But its greatest advantage is simply that it is far more likely to lead to a peaceful outcome than the strategy being pursued right now. That is what makes it superior.

Mr. President, if America truly hopes to lead the world in a new way, to enter a new world order with our strength intact, we will lead by the power of our example, not just by the firepower of our military. We can lead the world in a new way, but not if we are afraid of an honest debate about our vital interests. We can lead in a new way but not if we lack the patience and determination to achieve long-term solutions to international conflicts. We can lead in a new way but not if we become so absorbed in personalities that we forget about nations. We can lead in a new way but not if we veer from ally to ally, making pacts of convenience with Saddam Hussein against Iran one day, and with Iran against Saddam on the next. We can lead in a new way but not if we force our eyes away from human rights violations in China, or the Soviet Union, because we have to keep them roped into our coalition, our Persian Gulf coalition.

Mr. President, I learned today, for example, how aggressively President Gorbachev is exploiting the world's preoccupation with the crisis in the

gulf to impose his demands on Lithuania and other republics seeking freedom. It would be a sad irony if the price of Soviet support for freeing Kuwait turns out to be American acquiescence in Soviet aggression against other small, illegally annexed nations. The administration must realize that the aspirations to freedom of the Soviet people are no less important than the unity of our Persian Gulf coalition.

Mr. President, the United States can lead a changing world if we hold fast to our vision of an open society, capable of honest debate about our interests, steadfast in our principles, patient in our will to meet any challenge, consistent and reliable in our alliances, imaginative about peaceful solutions, and conscious of our limits but limitless in our hopes. Today's debate, and tomorrow's, and the next day's and the votes will determine whether we endanger the chance to build this kind of new leadership through premature military action, or whether we go the extra mile and use the new tools of a truly new world order.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes Senator ROTH.

#### THE GULF CRISIS

Mr. ROTH. Mr. President, crises such as the one that confronts us in the Persian Gulf demand the very best leadership and judgment our Government can provide. How simple it would be if Providence would take our hand, open our mind, and lead us footstep by footstep into the future. Only under those circumstances would we have the confidence to know that our decisions were infallible, our actions correct, and our lives secure.

But mortality requires the exercise of judgment—judgment that finds its source in our history, philosophy, and cultural ties; in our religious and patriotic convictions; in our concepts of morality and our need for security. When these basic values are examined in the context of the offensive threat Saddam Hussein has taken in the Middle East, it becomes clear why our President reacted speedily and in the manner he did.

What Hussein has done not only offends our sense of morality, but threatens our sense of security. It is not enough that he violently and illegally annexed Kuwait, that he held innocent men, women, and children hostage, and that he has denied his own citizens basic rights and needs to build the third largest war machine in the world. It is not enough that this dictator is little more than a despotic madman who has demonstrated his ruthless behavior by using chemical weapons on his own people and killing members of his own family. These are moral issues that offend us greatly. But our concern to put down this deadly hydra goes even further.

His intentions are clear—intentions that pose a direct threat not only to the security of our country, but to the world at large. Rather than using the oil rich resources of his country to build its economy and care for its people, he invaded Kuwait to exercise greater control over OPEC and to intimidate those countries to whom Iraq owes debt as a result of its war with Iran. Likewise, he has used his resources to develop chemical, biological, and soon, nuclear weapons—all toward the end of extending his dominion over his own country and as many neighboring nations as possible.

His objective is to become the dominant power among the countries in the Middle East, and to use his power against the democracies of the West. In fact, he has already become the major force in the Persian Gulf.

He calls himself the sword of the Arabs; even that is an illusion. His sword will be used to extend only his own interests. His failure to speak for the Arab world is demonstrated by the fact that the majority of Arab nations are aligned against him. Never in recent history have so many nations, with so many diverse cultures and so many distinct interests, been united toward a common objective—that of eliminating the threat Hussein poses.

There are credible arguments being made that members of this coalition should be doing more—assuming more responsibility, committing more troops, and sharing more of the costs associated with Operation Desert Shield. But the fact remains, such a united coalition is truly historic—a coalition that reflects that world-wide concern about Saddam Hussein, his belligerent character and frightening objectives.

This alignment is the result of several important factors—factors that we must consider as we debate the resolutions before us.

Perhaps the first and foremost factor concerns Iraq's growth in both quantity and quality of military power. It continues at a threatening pace, despite the fact that Hussein's war with Iran is long ended. Let no one be caught sleeping. To close an eye now would allow him the deadly latitude to consolidate his power and amass a nuclear arsenal. He is willing to bend any law and make almost any sacrifice toward these ends. He is as unpredictable as a desert storm and as deceptive as a mirage.

One can only imagine what devastating consequence would follow should his dominance be allowed in the oil-rich Middle East—and this is the second reason he must be stopped. When I speak of the danger that would result from his control in this region, I am not talking about consequences to major oil companies. Quite simply, I am talking about jobs.

I am talking about the raw material of human endeavor. Oil runs the economies of the world. It fuels our factories, heats our homes, carries our products from manufacturer to market. It is as basic to the economy as water is to life, and the free trade in international energy supplies is critical for not only the industrial democracies but the fragile Third World nations that depend on this precious resource even more than we do. Any attempt to disrupt those supplies will send a devastating quake through these economies—lengthening unemployment lines and boosting inflation in the industrial democracies and crushing the economies of developing countries where day-to-day existence depends on imported energy sources.

A third reason this man must be stopped concerns the progress and position of the United Nations. We have entered an era where the United Nations is playing an increasingly important role. For the first time in its history, there is a unified effort to work through the Security Council in an effort to ensure world peace. For Congress to turn its back on the progress demonstrated by the recent Security Council resolutions would thwart the progress and reduce the United Nations' capacity to influence destabilizing crises.

If we are to establish a multilateral security system as the basis of the projected new world order, we must both maintain and encourage United Nations, European, and Japanese involvement. NATO, if it is to be relevant in the world of tomorrow, must play a more significant role where its vital interests are at stake, as they are now in the Persian Gulf.

Hussein has demonstrated that with the cold war fading, the real threat to freedom-loving nations is the proliferation of arms in the hands of despotic dictators. Intercontinental missiles, chemical, biological, and nuclear arms turn unstable Third World nations into first-rate military powers. And I cannot underscore the danger. The industrial nations of the world, the United Nations, and the North Atlantic Treaty Organization must speak with one unmistakable voice when it comes to this issue: We will not stand to be blackmailed by self-serving despots.

These same groups and organizations must work together to stop this proliferation, and as a world bound by dialog and diplomacy we must demonstrate that come what may we will not be held hostage.

Mr. President, Saddam Hussein must be stopped. War is always a horrible alternative, and it is my sincere hope and prayer that it can be avoided. However, should it become necessary, I stand firmly behind our President. We either deal with Hussein now, or we will most assuredly face him later.

At the moment, we have friends in the region, support from all corners of the globe, and he has yet to get his hands on nuclear arms. On a moral plane, if we resolve this threat successfully and decisively, it will demonstrate to would-be "Saddam Husseins" that in the court of world opinion force and aggression are no substitutes for cooperation and diplomacy.

Should war become necessary, it is critical that our service men and women have bipartisan support here at home. As Adm. William Crowe has pointed out:

The public discussions have been useful, but it is time to let the governmental process work. The administration and Congress must resolve their differences before January 15. Congress' failure to be counted on this vital issue \* \* \* weakens its claims on equal responsibility in determining matters of national importance. \* \* \* If the decision is for war, Americans should unite behind the President.

A call to support our President was also expressed this morning in the *Wilmington News Journal*. Quite simply, the *Journal* wrote:

We believe Congress should support a "necessary force" resolution, much like the one approved by the United Nations. \* \* \* At this point, we believe the credible threat of force against Iraq is an essential ingredient in the complex mix of diplomacy, negotiations, international and direct White House initiatives to Baghdad. We hope it is not necessary to use force. But we do not believe Congress should, at this late date, be trying to pull the rug out from under the President or the military forces in Saudi Arabia.

Mr. President, I ask unanimous consent that the editorial from the *Wilmington News Journal* be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

#### CONGRESSIONAL DEBATE SHOULD FOCUS REALITIES OF U.S. GULF POSITION

As Congress begins debate on a resolution authorizing the President to use force in the Middle East, its first consideration should be to strengthen the position of the United States and its allies as they stand on the brink of war in that region.

This is neither a call for jingoism nor an appeal for craven behavior. It is a call for courage to face the realities of this moment in history.

Congress's job, as we see it, is to carefully examine President Bush's actions up to this point, consider their geopolitical ramifications and decide if he is serving the nation well.

We believe Congress should support a "necessary force" resolution, much like the one approved by the United Nations, unless Congress is able to objectively pinpoint serious failures in the line of duty by the President.

We are opposed to war. Who with a shred of sanity is not? When there is a chance, conflict should be resolved non-violently. But we are also aware that not all conflicts are resolvable without the threat of force, and that the threat of force is not an effective companion to diplomacy unless it is made credible by the demonstrated willingness to carry through.



It is obvious, regrettably, that the United States is now in a no-back-out position. Having recognized that it would be intolerable to allow President Saddam Hussein to grab, by military force, the power to slowly strangle the industrial nations of the world by manipulating petroleum supplies, and having mobilized against his naked aggression to achieve this, there is no sound basis for the United States to stand down at this time.

Persuasive arguments can be made to stand fast defensively, but only if there is an awareness of what a long term defensive posture will cost in manpower, money and national morale, given the probability that a prolonged siege is likely to leave the United States standing even more alone in the desert than it is now.

At this point, we believe the credible threat of force against Iraq is an essential ingredient in the complex mix of diplomacy, negotiations, international and direct White House peace initiatives to Baghdad. We hope it is not necessary to use force. But we do not believe Congress should, at this late date, be trying to pull the rug out from under the President or the military forces in Saudi Arabia.

Mr. ROTH. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

#### THE PERSIAN GULF CRISIS

Mr. ADAMS. Congress had a policy in position in August, September, and October. We voted for what the President wanted. We funded what the President had asked for and the policy was in place and working.

After Congress left the city, the President changed the policy to one that has gradually boxed us into a position of voting for economic sanctions or war. This was not done by the Congress. The Congress was not late.

On November 29, after this had happened, this Member stood in the gallery of this building and said that is what happened. On January 3, Senator HARKIN and I said this debate must start to protect the constitutional powers of the U.S. Constitution and of this body, the U.S. Senate.

We were asked by the administration to delay this debate until after he sent his Secretary of State to Europe to meet with the so-called Foreign Minister of Iraq. We did so.

I, therefore, trust that those who are now opposing our position, which is that we should vote whether we go to war or not, will not block the majority leader and the others from obtaining a unanimous-consent request and the necessary time to debate and vote on this matter before the bombs and the shells drop in the Persian Gulf.

That was what we said weeks ago, not days ago, and if there is a blockage by filibuster or by refusal to go along, then this Senator for one—and I am sure I will be joined by others—will stand on this floor and repeat again what I have just stated: that any delay in the vote on this matter was caused by the administration for its own purposes so it could declare a unilateral

war. I do not think the President wants that; I do not think the people want that.

We have tried very hard to be trusting. We expect trust back. Therefore, I hope and I trust that we will vote on this matter on Saturday or, if it has to be, on Sunday or Monday. This Senator will be here to vote on any of those days or any hour before January 15.

I say before January 15 because that was the reason—many did not understand why—we raised the point on a traditional day for swearing in Members and doing housekeeping matters. We were concerned there might be an attempt to block a vote on whether this Nation goes to war, which is the constitutional responsibility of the U.S. Senate and the U.S. House of Representatives, not the President of the United States.

That point has been clearly made by a number of other speakers. I will not repeat all those citations now. But, we wanted to make certain that that point was made. This President carries grave risk if he is advising his party and his people to block votes in the Senate so that we cannot vote on it.

We do not know whether or not we have the votes to win. That is something that will be determined by the conscience of each Senator. But we do know that each Senator must exercise that conscience because, if we do not, we will divide this country. The processes set up by our Founding Fathers to prevent us from hurrying into war and to debate war and were placed in the legislative branch will have been violated. That will be a tragedy for this Nation which will compound the tragedy that is about to occur in the Persian Gulf should we engage in a war in that region.

I have spoken before on this subject in early January. I will not repeat all the remarks I made then, but I will repeat some because at that point people did not know whether the debate was serious. But the debate now is, will there be war or will there be use of economic sanctions against Saddam Hussein. It is going to be a very clear vote between two sides. Prayerfully, there are diplomatic operations taking place, but they are not coming from this country, so we cannot rely upon them.

Our diplomacy consisted of sending the Secretary of State to meet with the Foreign Minister; not to negotiate, not to conduct diplomacy, but to deliver a message. I do not consider that negotiation, but that is the way this executive wanted to conduct his business. He was elected President and that is the way he conducted it. But he put us in the position of giving up on diplomacy and having to vote for economic sanctions or for war.

This Senator will not vote for war. I do not believe that is the solution. When we talked about a new world order we were just simply stating a

fact. One superpower is in a chaotic condition. That leaves the other superpower, the United States, in a position where it can support actions of the United Nations. We are supporting the actions of the United Nations in their economic blockade of Iraq. It will work. No, it will not work overnight. But it will work.

The economic sanctions keep the coalition together. The Arab States have never said they would invade another Arab nation, but they have said that they will protect a brother Arab nation. The coalition has agreed to stay with the United States in order to prevent further aggression. But I have not heard of an agreement to conduct a war of major proportions with the lives of Arab soldiers on the line.

I am not trying to say how or when a war should be conducted. Once this body has voted yes or no, the President, under our Constitution, is the Commander in Chief. We do not question that. But Congress has the power to declare war. I do not understand why the other side questions this fact. The Founding Fathers clearly gave the legislative branch the authority to say whether or not the President shall exercise his constitutional role.

And that is not just coming from legal scholars. It is the common sense of the American people. They understand that Congress has been given the authority to declare war. They know that we did not want a king. We do not have one now, and we do not intend to have one. That is why the power is divided. It was logical to divide the power, not just scholarly.

Our Founding Fathers would have been appalled at the suggestion of giving to those who would conduct a war the power to declare or make war. They wanted that power to go to the legislative body and they wanted the legislative body to stand up and vote on it. Yes, risk your seat for it. I will risk mine, and I know every other Senator is willing to do the same. That is what the American people expect from us.

If we are wrong and the American people want to go to war, then in the election of 1992 I assume those people who feel my vote was wrong, will vote against me. But that is what public service is all about.

I hope that all Senators are cooperating in getting us to a vote by Saturday. The worst thing that can happen to this constitutional body is to stand on the sidelines; to not have taken a position at all.

I have seen that happen before. Seven times we tried to get the War Powers Act to function. The War Powers Act, for those who are familiar with it, was passed to help stop the Vietnam war. It was passed over President Nixon's vote. The War Powers Act provides for a procedure whereby the President has 60 days to remove troops if he has put

them in hostilities, unless he gets the approval of Congress. It was a lesser degree of the war power, which exists in the Congress of the United States.

Seven times we tried to bring the War Powers Act up because the President would not send a letter. We were blocked by the procedures of this body, and seven times it was filibustered and we could not proceed, even after we had suffered 38 deaths from an Iraqi Exocet missile striking one of our ships.

That is why we have avoided using that process. We do not want to argue about process. This is war or peace. And war or peace is something that was involved when the President made the decision to increase the number of troops.

We tried to invoke the War Powers Act when the United States was reflagging Kuwaiti tankers in support of Iraq.

The Senate is often called the world's greatest deliberative body. I want us to have time to debate this resolution—for Senators to say what they wish to say. But I want to be certain we take action on the crisis in the Persian Gulf.

We did not set a clock for January 15. The timetable was set by the President of the United States. Congress has had to try to schedule to meet that. If this debate and subsequent vote go beyond the time when troops are in action, bombs subsequent fall, shells are fired and the blood is spilled, the whole debate changes. The President has heard it mentioned already by some of the speakers: Support our boys and girls over there.

That is not the argument. The argument is whether or not their lives should be put at risk, in the first place. The debate must not take place in the context of whether or not we support our troops. We do. We will support our troops to the end, and in every way possible. The debate today is whether or not our troops should be committed to battle.

That is what it comes to. People become allies and enemies when war starts.

President Bush may have lost patience with Saddam Hussein, but the Founding Fathers did not lose patience with the idea that going to war was something that should not be entered lightly. War commits the resources of the Nation, the best of the young people, and our whole position with regard to all other nations when we commit that act. The system was not set up to hurry into war. It was set up to ensure war is the right push.

Regrettably, over the past four decades, the Congress has not exercised this power. That is my other concern and why this vote is so essential. In a moment I will discuss the substance of what is the difference between a war and a nonwar in the Middle East from my perspective in the time I have spent

there. And this is time covering 20 years, not a recent trip.

In 1950, President Truman took us into war in Korea. In 1965, President Johnson led us, step by step, into the Vietnam War. I, as a young Congressman, heard that called an incident, a police action, a protection of our troops. The Gulf of Tonkin resolution was passed so we would be able to protect our ships after it was thought that the *Turner Joy* had been fired upon.

I was in Congress when the first Marine division was sent in across the DMZ, and the generals said—who were old hands, infantry generals—do not fight a land war in Asia. But the administration people—and I mention this because I have had to fight Democratic as well as Republican Presidents on this issue—said: Give us a Marine division, and in 30 days we will have sealed off the country. Does that sound familiar?

I asked the question, as the first part of the substantive debate. I think we can win. Suppose we win in Kuwait. Do we cross the Iraqi border? Are we going to invade Iraq? Or is it going to become a DMZ? And if we do invade, are we going to occupy Baghdad? And if so, with how many troops, for how long? And will this stabilize the gulf? Will this protect Israel? Will this protect our interests in the oil fields? Will our Arab allies feel that we are doing the right thing? Will our troops be faced with decisions of: What do we do when terrorists or guerrillas kill our troops in the streets?

Are we going to stop at the border? Or are we going to just destroy an army? War is not something that is easily controlled.

As one Senator—I do not know about others; it is up to them and their consciences—I would never predict how long a war will last. I know I was mighty grateful in World War II that it was over before they shipped me out. I was ready to stand on the edge of the ship. I think it was a miracle that it stopped when it did. But nobody planned that. I think people who say it will simply happen and be over do not remember. They just do not remember.

The President of the United States is a skilled public official. He has served in many posts. I served with him in the Congress of the United States many years ago. I think tactically the administration was brilliant in setting up the original policy. That is why I supported it: To gather together a coalition, to get the United Nations to move to obtain the results that we had already obtained in the use of economic sanctions, which was release of the hostages, the stopping of the invasion of Saudi Arabia, and protecting our oil supplies.

On that matter, Saudi Arabia, the Emirates, Qatar, Bahrain can pump enough additional oil to cover any losses that are there. They can do that,

and so can the North Sea and Indonesia and Venezuela. So let us not spend blood for oil. We have accomplished our goals in the gulf.

How best do we accomplish the destruction of Saddam Hussein's power? By squeezing him so he cannot use any of his industrial might and so his army rots and rusts. I do not know the Iraqi battle plan. I do not know whether the Iraqi army stays intact. I do not know what Syria will do. I think that a mistake is being made with Assad in Syria, as we made with Saddam Hussein in Iraq, of simply joining forces with any ally for any purpose to accomplish a particular short-sighted end.

Tactically, this President had created something of which he could be very proud. Why on November 8 he changed course and sent the additional troops in and put us on a course to war, I do not know. We could have sustained the troops we had there. Sure, we might have needed more equipment.

Our commanders were beginning to work on rotation policies for those troops. If we had sent in 200,000, let 200,000 go home. We were not telling reservists they had to stay 2 more years, and we were using our power in a method that we understood. We could have sustained ourselves there and maintained economic sanctions. We would not have to think about war or how fast we must act because our troops are out there. Can we sustain them? We sustained troops in Germany for 40 years plus. We have them in Japan, we have them in Korea. We are capable of doing that.

That is the alternative that we have on this side, our majority leader, has proposed using economic sanctions to achieve our goals. When people ask what I would do with the troops, I answer that I would rotate half of them home, and keep shipping those tanks out of Europe. We accomplished two purposes, and we tried to save ourselves a little bit of money along the line.

Speaking of money, as one of the members of the Appropriations Committee, I just want to know who is going to pay the bill. I have some figures here which I will give. Others may challenge them. But I want to state a basic proposition before I go into any numbers.

We are going to be asked to pay for this war. I assume those who vote for such a resolution of going to war and our being out there would certainly put an amendment or a proposition in their resolution that says that the countries not utilizing troops, such as Germany and Japan, shall pay half the bill, or the coalition partners shall pay half the bill. I would think they should pay it all. At least they should put in half. If they do not, I would be very willing to help them with that because I think the American people resent the fact



that Germany and Japan properly say our constitutions do not allow us to put troops in the field. But who will benefit most? Germany and Japan receive more oil from this area than we do. They are our chief competitors in the world. We are fighting this war to let them, help them, come over and clean our clock and not even charging them 50 cents on the dollar to do it. That I do not understand.

But I do not want to be put in the position in the Appropriations Committee, after the shots and shells are going on, of saying we are only going to appropriate half the money because the other half should be paid by our allies when they have not paid it. The figures I have used and I have heard—if somebody says they are different; fine; give them to me—is that the Saudis will make \$60 billion on the extra oil they will pump over the next year. I think \$60 billion would cover our costs. I do not know, but I think it would. They have not given us that and they have not promised us that. I heard no one speak of that. The Japanese and the Germans will receive great benefits, so I hope we take that into account, everybody who is going to vote for war.

I am not going to vote for war. I am going to vote to stay with the policy that we have now, which is economic sanctions. I am going to try to reduce those costs by beginning to rotate troops and return some sanity into what is going on. We are living in a world that reminds me of the time prior to World War I and into World War II. That is not where we are now.

If we want to talk about dangers in the world and World War II-type options, the President should be spending more of his energy on what is happening in the Soviet Union. Is the Soviet Union going to go back to a dictatorship, to a very conservative group of leaders? Is it going to break up into a number of factions?

We do not have to speculate about nuclear weapons. I do not think Saddam Hussein has a nuclear weapon, but regardless of that I know the Soviets do, and a lot of them, scattered all over this country. Things are happening there while we are looking out the other window. I think it is time that we pay attention and that we look at that.

But there is something far deeper here. We are looking at the potential of starting a war against the Arab nations. I say Arab nations because I see no assurance, depending on where this war goes, that it can be controlled and that the Egyptians, the Syrians, the Iranians, although they are not truly Arabs, the other Arab people will all say, "We will stay with you on an offensive attack on Iraq." And if they do not, then we destabilize that whole area and we destabilize the Muslim republics all across the southern Soviet Union. We are taking terrible risks in

the whole geopolitical area there for very limited reasons.

We are going to beat Saddam Hussein. There is no question about that. But we should do it in a way that enables us to leave the region at least as stable as when we entered it. It is not that stable now, but I know no one in the world who says that a war will stabilize that region more than peace will.

So I hope that as we go through this debate and as we get to the end of it, that we have discussed all the options. I will not vote for going to war. I will vote for continuing economic sanctions. The book is still out on whether we should create a truly international U.N. force. This is not a U.N. force we have created, but one could be created under articles 42, 43, 45, and 46 under the Military Staff Commission, a peacekeeping force or an occupation force. That is what was envisioned as so eloquently was stated by Senator MOYNIHAN in San Francisco when the U.N. Charter was drafted. Each country contributes according to its laws, money, and troops to a peacekeeping force under the Military Staff Commission and under a U.N. commander that maintains peace in the area.

I do not think that can apply here now. I think we have gone beyond that. I think now our vote is very stark: War or economic sanctions, or, as I said prayerfully, some diplomacy someplace. But there is a chance for a new world order, if we do not blow it apart with old world tactics.

We are on a disastrous course, and if the President is not prepared to change direction, the Congress has to intervene. I pray in these next few days we will vote down resolutions to go to war; that we will maintain a policy of economic sanctions; that we will begin to put our troops on a footing where they can survive and survive well; that we use diplomacy with all the nations in that area and create a stable Middle East for the blessings and the peace and the hope of every nation from Israel, Egypt, to Saudi Arabia and, yes, to the people of Iraq, who also suffer under Saddam Hussein. So let us hope that we make the right decision, but above all let us vote on it and do it soon.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, I am not going to debate at this time the merits of the resolution under consideration or the constitutional issue of Presidential power. I rise today to ask the Senate to take the one step that will more quickly than anything else bring about a peaceful resolution to this crisis in the Middle East.

That step is for the Congress to make its voice heard in support of the President, the United Nations, and our men and women deployed in the gulf. The

most potent action we can take to cause Saddam Hussein to withdraw from Kuwait is to demonstrate to him that he not only faces a powerful military coalition, but also a nation in solidarity with its President. In my judgment this solidarity is essential and will get us the results we seek without going to war.

Mr. President, there is no doubt that every Member of this body agrees we cannot allow Iraq to continue its occupation and plunder of Kuwait. There is, however, a difference of opinion on how to achieve that goal and how quickly it must be done.

Although sanctions are having some impact on Iraq, they have not had the effect we sought and may not for some time. Waiting for sanctions to bring about the withdrawal of Iraqi forces is also having an impact on our forces deployed in the desert of Saudi Arabia and on our ships at sea. Some of these forces have been living under arduous desert conditions and the possibility of combat for over 5 months.

How much longer can we expect them to maintain their combat readiness? How much longer can we expect our soldiers' families to carry on under the tremendous burdens they are carrying? They are not only dealing with the uncertainty of not knowing how much longer their loved ones will be gone from home, but also with anguish that war could break out at any moment.

Mr. President, the Congress must act and let its voice be heard. The time to end the debate is now. I implore this body to demonstrate to the world—and especially Saddam Hussein—that we are behind our President and the United Nations.

A vote in support of the President is a vote for peace. I urge my colleagues to stop the debate and show our solidarity with the President and resolve to get Saddam Hussein out of Kuwait. Solidarity, we need it now. Not division, but solidarity.

Thank you, Mr. President.

I yield the floor, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LAUTENBERG). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME FOR CONGRESS TO HELP THE PRESIDENT

Mr. HATCH. Mr. President, I have been watching this debate with a great deal of interest today. Frankly, I am very concerned about some of the comments that have been made. I think President Bush has gone the extra mile in trying to avoid the use of force. I do not think there is any question about that. I think it is time for Congress to help rather than hinder the President.

I think it is time for the Congress to join with the President and get behind him and our young men and women over there sitting in the sand, and show that we are willing to back the use of force.

I never thought I would see the day when a timid organization like the United Nations would come out and agree and authorize the use of force by January 15, and our own Members of Congress are unwilling to back that resolution—some of them. Unless Saddam Hussein believes that the threat of war is real, he will not budge. I think we have learned that. The only way to avoid war, in my opinion, in this particular situation, is to be prepared to go to war and to show our resolve is for real.

If Hussein will not even accept a letter from President Bush, he certainly is not going to accept congressional pleas that Iraq pull out from Kuwait. Our actions should be decisive. If we back the President overwhelmingly, we will maximize the pressure on Iraq. We will enhance the chances that we can avoid war. If the vote is close, Saddam Hussein can conclude that he can divide our country if he will only hold out. If we fail to back the President, war will become inevitable.

What are our U.S. interests over there? If I had to criticize the way the administration has handled this, it is that I do not think they have made it quite as clear as they should as to what our vital interests are.

No. 1, we have a vital interest in stopping and reversing Iraqi aggression. Saddam Hussein is a man who has invaded two of his neighbors, and he will strike again unless his invasion of Kuwait is decisively reversed. If we fail to do so, then we will set the precedent that aggression can succeed, that aggression can pay, that aggressors need not fear even when the United States votes to take positive action against them. We will then look forward to future aggression by Hussein and others like him around the world.

No. 2, we have a moral interest in liberating the Kuwaiti nation and stopping the brutal violations of human rights committed by Iraq's occupying forces.

Saddam Hussein's conquest and pillaging of Kuwait has thrust at the heart of our ideals. His forces have taken everything not nailed down as well as most things that were. Even ailing infants have been left to die as their incubators were carted away by Saddam Hussein and his people.

As we wait, the Kuwaiti people are being wiped out as a nation. Let us remember that it was the Kuwaiti people who risked their own lives for months for sheltering those Americans trapped in Kuwait who were hunted by the Iraqi security forces.

No. 3, we have a security interest in thwarting Hussein's threat to launch a

major international terror campaign. He has assembled the world's most vicious terrorists, including those behind the Pan Am 103 bombing, the Rome airport massacre, the *Achille Lauro* hijacking. Abu Nidal is there now. There is good evidence that Abu Abbas is there. You name it, they have their network moving out of Baghdad all over the place. If we let them get away with it, and we show that we are too weak to back the President and our own young men and women over there, we are going to see an onrush of terrorism all over the world. The only way to stop that is to show that we are willing to use force.

If Hussein succeeds in facing down the United States, he will feel free to start hitting U.S. targets with his terrorism. A sign of weakness in the gulf will be seen as a green light for terrorists, and we stopped Qadhafi's terrorism by taking decisive action against him. Unless we deliver a similar message to Hussein, the only thing they understand, it will only be a matter of time before the terrorism and killings begin.

No. 4, we have the vital security interest in stopping Hussein's development of weapons of mass destruction. His chemical, biological, and nuclear programs have been well documented in the press. He has already used chemical weapons. He almost certainly has the means to deliver biological weapons. He could develop a crude nuclear device within a year.

I was on "Good Morning, America" this morning with my esteemed colleague from Iowa, Senator HARKIN. He said they have so little material that they really could only do a crude atom bomb. That is what they basically said about Nagasaki and Hiroshima. Those were crude atom bombs compared to what we have today. But they killed a lot of people. His crude nuclear weapon will kill a lot of people too if we let him get away with it.

I have to say a crude device no less than a sophisticated one could exact a staggering toll in human life. His acquisition of deliverable nuclear weapons according to our best intelligence will come within the decade, though potentially even sooner if our information turns out wrong. I can tell you, as a member of the Intelligence Committee, as a senior Republican on that committee, I can tell you that a short while ago we estimated that his ability to develop a nuclear weapon was a lot longer than it currently is today.

Most ominous, while he already has missile delivery systems that imperil the region, he is working on intercontinental missiles that will even threaten the United States. If he gets away with his aggression against Kuwait, there will be nothing to deter him from using the threat of these weapons of mass destruction to dominate the entire Middle East. I do not think anybody denies

that. I do not think anybody doubts that for a minute.

Why are we standing here talking about sanctions that have not worked thus far, will not work over the short term, may work over a 2- or 3-year term but by then this battle is going to be over?

Guess who is going to have to face him at that time? It is going to be every moderate Arab nation which will be intimidated, and I might add a little democracy in the Middle East called Israel. If we keep talking about sanctions working, we are giving him all kinds of time to do these things. That ultimately means the loss of millions of lives in the Middle East, and a constant threat to Israel.

Mr. SPECTER. Will the Senator yield for a question which might help to underscore the point that the distinguished Senator is making?

Mr. HATCH. I am delighted to yield to my friend from Pennsylvania.

The question is this: If the Congress rejects the resolution sought by President Bush and the Congress does not back up President Bush on enforcing U.N. Resolution 678, what does the Senator from Utah think will happen to the effectiveness of the sanctions?

Will those in the coalition who have been engaging in the sanctions, at very substantial economic dollar losses, continue those sanctions?

Will the coalition stay together if the U.S. leadership is in a situation where the U.S. Congress did not back the U.S. President?

What will the consequences be? Is it realistic to expect that the sanctions can go on, that the deadline date can be ignored, and that Saddam Hussein will not be regarded as a hero and as a victor in this controversy?

Mr. HATCH. I think my colleague from Pennsylvania, who is on the Intelligence Committee, states his question very well. The fact of the matter is, if we do not back the President and our young men and women over there by backing that U.N. resolution, there will probably never again be a U.N. resolution like that. That was a miracle in my way of thinking. I think it justifies support of the President and the Secretary of State, if nothing else.

Let me tell you something. If that miracle never happens again, the world is going to be worse off, and the United Nations will be a paper tiger.

I will restate or paraphrase the comments of the distinguished leader of the Labor Party in Great Britain, Neil Kinnock, who was not well known for being a hawk. He stood up at the North Atlantic Assembly and said, "If we do not back the United Nations, the United Nations will be a paper tiger." If Neil Kinnock feels that way—and he has never been known to be a strong supporter of offensive action—then why can our people here not see what he was talking about?



Mr. SPECTER. If the Senator will yield.

Mr. HATCH. If I can add one other thing. I believe that the longer we go over there, the more expensive it becomes—I am going to make some points a little later—the more Saddam Hussein will have a greater opportunity to entrench, protect, preserve and kill; more casualties cannot help but occur, because that is what he is doing, digging trenches and putting mines out there and bunkering and doing all the kinds of things that will make it more difficult to dislodge him from Kuwait if we wait.

Last but not least, we are going into Ramadan in March of this year, and everybody knows that many of the Arab people are going to be offended by having these forces there. Frankly, they will not be offended if they know that these forces are being used to try and protect the moderate Arab States in the way that they deserve.

If we continue to wait, it is likely these 28 nations that are currently together on this matter are going to have fissures and difficulties within them that may cause the loss of support, the loss of the sanctions, and the elevation of Saddam Hussein to the leader of all Arabs in this world.

Mr. SPECTER. If the Senator will yield. One of the concerns that this Senator has is that in the course of the debate today, there have not been very many Senators on the floor and there has not been the kind of exchange which I think a matter of this gravity deserves. There have been speeches made, and we had a little exchange earlier, and I was on the floor most of the day and recently left and then came back.

I am hoping we can get into this question in terms of discussion with the Senators who are supporting the so-called Mitchell resolution, although as yet it has not been filed.

One of the concerns I expressed earlier today was that the Senate is waiting until the very last hour. Had there been an objection to what the President wanted to do on the January 15 date, we should have expressed ourselves in November.

I said candidly that I had my preferences. I would have liked to have seen the economic sanctions go longer, or I might have avoided the day.

When we are at the last minute and it is a matter of repudiating the U.N. resolution and repudiating the Executive position, the President's position, I am concerned, as the Senator from Utah articulates, about the very important point of using this as an historical precedent for collective action, the first time ever being done.

Mr. HATCH. It will be the last time it is ever done if we support this alleged resolution of the majority leader that I have heard about but have not seen yet.

Mr. SPECTER. I think that is correct.

Of more immediate importance is the question about what happens in Kuwait and what happens with Iraq. If the Congress backs down or if the United Nations has to back down because the Congress will not support the President, then Saddam Hussein grows stronger, and this is a war which is going to have to be fought for some time.

If we assert ourselves now, there is still the possibility, and I think a good possibility, that the war could be avoided if a strong vote comes out from the Congress. Right now, while we are trying to assess Saddam Hussein's state of mind, he is trying to assess the state of mind of the Congress. And while it is hard to figure out what the Iraqi leadership is doing, it may realistically be more difficult to figure out what the congressional action will be.

Mr. HATCH. If I can interrupt the Senator, I think he cites a good argument. Look, there is no way we are going to be able to keep 400,000 American troops over there sitting in the sand with just sanctions. It is just a matter of time until we have to move. Then it is just a matter of time within 2 or 3 years when this man is going to aggressively go against his neighbors. And the country he wants to go against more than any other country happens to be Israel.

We all know the commitments of this country toward the moderate Arab nations and Israel. We will have to go back into it; only then we will not be able to win a quick, decisive victory. It will involve millions of people and lives. It could involve the eradication of whole nations.

We have to face this problem now, and the way to face it is to back this President, whether we agree totally with the policy or not.

The only thing Saddam Hussein and people like him recognize is our willingness to use force. The President is 100-percent right. I do not understand how anybody cannot recognize that. If you look to the future, you have to admit, we are taking tremendous unnecessary risks if we do not face this problem now and face these types of rulers now—especially in this particular case—while we have the capacity to do it.

Let me go to my fifth point. Talking about the vital interests of the United States, we have a major political interest in preventing Hussein from radicalizing the Arab world. For decades, moderates and radicals have struggled for the heart and mind of the Arab world. If we back down from this confrontation, Hussein would become the hero of the Arab man in the street. Revolutionary forces would topple moderate governments in the pivotal countries of Egypt, Jordan, and Saudi Arabia. Hussein's brand of anti-Ameri-

canism would soon dominate every Arab country from Morocco to Oman.

We also have a major interest—No. 6—in preventing Hussein from threatening the survival of Israel. The domination of the Arab world by Hussein would pose a moral threat to Israel. We must stand by our moral commitments to the Jewish people. We have a strategic partnership with Israel. Every post-war American President has committed the United States to guarantee the security and the survival of Israel, the only democracy in the Middle East. If we do not defuse this threat to Israel at this time, where our moral and strategic interests converge, our commitments around this whole world would lose their credibility.

We have a vital interest in supporting the moderate Arab States as well. I cannot begin to tell you, because a lot of it is classified, how important these moderate Arab States are to world peace against world aggression, in supporting the United States of America in foreign policy and other ways, in befriending us. They are important. And if it heightens Saddam Hussein's power and we make a hero out of him and we have to withdraw our forces, and we do not have the guts to do what is right, it is just a matter of time until the moderate Arab States will be under his control through force and intimidation, or should I say through force and/or intimidation.

No. 7, the United States, as well as the rest of the world, has a vital economic interest in preserving access to Persian Gulf oil at reasonable market prices. This is not a selfish interest. Not just the United States would suffer from giving Saddam Hussein the power to set extortionist prices through force and intimidation. The test of the West, the new democracies in Eastern Europe, the struggling nations of the developing world, the Third World countries—all these would suffer as well. And they would suffer more than we would. But we would suffer too because oil is the lifeblood of the oil economy, and we cannot afford to have Saddam Hussein at its jugular. We just cannot.

And that is what we are in danger of doing if we do not back this President and do what is right here. I say the President deserves this backing. More than the President, these young men and women deserve the backing, too. They are not over there just sitting there, having fun.

Have the sanctions failed?

No. 1, after 6 months, sanctions have had their day in court. But it is time to recognize the fact that economic sanctions alone will not force Saddam Hussein to withdraw from Kuwait. They can impoverish Iraq, but they cannot break Hussein's will.

No. 2, what have the U.N. sanctions achieved? They have dealt a serious blow to Iraq. They have cut off 90 to 95 percent of its imports and exports.

They have starved Iraq of the hard currency needed to pay for even those goods that can be smuggled into the country.

No. 3, the sanctions have put the squeeze on the Iraqi civilian economy. The prices of consumer staples, such as flour, rice, sugar, tea, and milk, have all gone up by at least tenfold and in some cases much more.

But what have the sanctions not achieved? They have not at all weakened Iraqi military forces. Hussein's military has stockpiled spare parts that will make the bulk of the force immune to the effects of sanctions. In some high-tech areas—such as the air force—sanctions might lead to spare parts shortages in the long term. But the strength of the Iraqi military—its armor and infantry forces—will not feel the pinch. They are ready for the long haul. But most important the sanctions have not changed Hussein's mind. A man who accepted the loss of over 1 million troops in a decade of war with Iran will not cave in as a result of higher consumer prices.

What about this argument: Why not wait for the sanctions to work?

The argument that the United States should simply give the sanctions more time to work is fatally flawed. None of its advocates explain how much time would be needed. Six months? One year? Two years? No one offers a straight answer. If we wait, we will find that more time means even more casualties.

Even if we wait a few more months, the cost in terms of U.S. lives will escalate dramatically. That will give Iraq's forces more time to build up the greatest fortified work since the Maginot Line. He has already put in place vast mine fields, fire ditches, dug in armor, infantry positions with overlapping fields of fire, all designed to channel attacking forces into preplanned killing zones. If we wait, he gains time to thicken and strengthen those defenses. If Congress stalls, we will be responsible for the loss of thousands of lives, not only American casualties, but the others as well. There are approximately 250,000 troops from other countries, and we seem to forget that, too.

Those who urge us to wait a year or more portray this conflict as kind of a waiting game. They foolishly believe that things can only get worse for Saddam Hussein and better for us, but that is not the case. There are any number of scenarios that would undercut the position of the United States without a shot being fired. We could see sanction-evading foreign firms, which already number several hundred, devise better ways to smuggle the goods that Baghdad wants. We could see them. We know that we are seeing it now, through Iran, through Syria, through Jordan. I suspect some others as well.

We could see Iran agree to hook up the oil pipeline network with Iraq and sell Iraqi oil on behalf of Baghdad, giving Saddam Hussein much-needed hard currency, and much more than that if Hussein becomes the darling of the Arab world.

And we could see political turbulence in the Soviet Union, which has already led to the resignation of Shevardnadze, lead to a change in Soviet support in the international effort against Iraq. Right now, one of the most amazing things of this whole century is that very support. I do not believe that is going to last if we keep playing these games in the Congress. We could see Saddam Hussein succeed in subverting some of the moderate members of the coalition, such as Egypt and perhaps even Saudi Arabia.

Giving more time for the sanctions to work also carries risks. What looks like the safe course of action could quickly become the more perilous.

Why have so many failed to support President Bush and our troops over there?

No. 1, I have to confess I am shocked that so many have opposed President Bush's policy. We face a case of clear violation of international law and of massive violations of human rights. What is more, the President has taken every step short of the use of force demanded in some previous crises. He has gone to the United Nations and obtained a dozen resolutions requesting the Iraqi withdrawal. He has organized a 28-nation coalition force in Saudi Arabia to demonstrate the breadth of world commitment and share the costs and burdens of the war.

He has given sanctions sufficient time to test whether they alone can break Saddam's will. He has promoted diplomatic initiatives by the United Nations, our European allies, the Soviets, and the Arabs, as well as going the extra mile with Secretary Baker's meetings.

No. 2, now we must consider the only remaining alternative, the use of force. If we support the President, the possibility exists that Saddam Hussein will finally understand that we mean business, that he must either withdraw or face war. Under those conditions he, I believe, will finally back down in order to avoid suicide. If we want peace, we must support the resolution to endorse the President's authority to use force.

If we do not do that, it seems to me we are giving this man time, and time to criminals and to the criminal mind is time to do even more harm, time to do even more devastation, time to do even more hurt to those who really should be standing up against him.

I think we have to look beyond the present and into the future. We have a history with this man. This man has used weapons of mass destruction against his own people and against others. He actually believes he has the

right to do it. He cites it as a religious right. He has threatened our country, he has threatened the moderate Arab States, and he has threatened Israel.

How much more do we need before we stand up and say, "Hey, look. The only way you are going to stop this guy is to show you are willing to, and you cannot do it with sanctions alone over the short period of time, and maybe even over the long period of time." And already we see in other countries—France, Germany, the Soviet Union, Japan—countries who are willing to give him something for his aggression, countries that right now are standing with us and will stand with us if we act decisively, but who are willing to compromise with this man who is going to direct from that day terrorism all over the world, and who, from that day on, will become the darling of the Arab world; who, from that day on, will have the force and power to intimidate all of the moderate Arab States; who, from that day on, will have a constant diatribe against Israel; who could care less about the Palestinians but nevertheless will use that particular issue to consolidate forces against Israel. And, if we wait, we are just waiting for a disaster to happen.

Sometimes you just plain have to do what is right. And what is right is not waiting for sanctions to work any more. What is right is to let him know in no uncertain terms that we Members of Congress are going to stand with the President; we are going to try to help our foreign policy; we are going to support our young men and women over there; and we are not going to allow him to continue to do some of the things that he has been doing with impunity and is still doing with impunity; and we are going to try to prevent that holocaust that could occur in the Middle East if we fail to act on that decisively now.

I fully recognize there are sincere people on both sides of this issue. I know there are lots of ways, if things go sour, if things are not right, that this body alone can correct them. But I cannot see any reason, if we are interested in the long term, if we are interested in solving these problems, why we do not join hands with the President, with our young men and women over there, with the other 28 countries and do what really has to be done and send this message.

I have no doubt this President will try everything within his power to diplomatically resolve this problem. He supports the U.N. leader, Perez de Cuellar, going down there. The fact is he has done just about everything. And they certainly, in the White House, have tried to keep us informed as well. President Bush is not a man of war. He is a man of peace.

I will just close with this thought. When I was in Israel just a month ago I had dinner with one of Israel's lead-



ing sociologists. He had just come back from the Soviet Union, and he had been meeting with a group of their top scientists. He asked them: "How do you explain these tremendous occurrences that have occurred over here in the Soviet Union, this thirst for democracy?"

The top scientist said, "I can explain it in two words."

He said, "What are they?"

He said, "star wars."

Implicit in that particular statement was that Ronald Reagan seemed to understand something and that is you cannot deal with these people except through a position of strength. If we do not back the President, we are putting him in a position of weakness.

I think the majority of the Members of the Senate will back the President. I hope it is a significant majority. When I went to the East bloc countries last April, I asked each of those leaders in the countries: "To what do you ascribe this explosion in democratic principles?" And paraphrasing, but I think accurately paraphrasing, virtually every one of them said: "Gorbachev and his perestroika." And then they would stop and they would catch themselves and they would say: "But, without Ronald Reagan and the strength that he exhibited, Gorbachev and his perestroika would never have had a chance."

I believe that. I got it right out of the horse's mouth, right out of the people over there. They would go even further. They would say: "We want to privatize. We want to have a free-market system like yours. We would like to have a stock exchange. We want to be just like you."

Then they would stop and they would say words to this effect: "But we notice that your Congress is passing the very type of legislation we are trying to throw out so we can be free."

I think we should learn from the past. I think we should learn that the only way to deal with these people is through a position of strength. To that end I hope my comments have been helpful. I have not meant to demean any Member of this body, but for the life of me I cannot understand why, with the history of what is happening, we are not unifying and joining hands and getting together and doing what has to be done, which over the long term, through a demonstration of strength, will help to resolve these problems, perhaps forever more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

#### THE CRISIS IN THE PERSIAN GULF

Mr. GORTON. Mr. President, soon we will be debating a joint resolution, a partial copy of which has been provided to Members on this side of the aisle, which I presume will be introduced by the majority leader and others; the heart of which states the belief "that continued application of international

sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time."

The anticipatory debate in which we have been engaged to this point has been characterized by many Members as involving a simple choice, a choice between war and the continued reliance on economic sanctions. It has been, perhaps, most thoughtfully and best stated by the distinguished Senator from Georgia, Senator NUNN, who in a piece in the Washington Post this morning writes: "I continue to support President Bush's original strategy, economic sanctions, a continued military threat, and patience."

It approaches the status of a truism to say that if one asks one's self the wrong question, the answer reached is almost certainly to be far wide of the mark.

Sanctions or war is the wrong question, and, as a consequence, the answer propounded by those who state the question in that fashion is dangerously erroneous to the interests of the United States and to those of the free world.

Let us examine for just a few moments the question of the efficacy of sanctions. The Senator from Georgia believes in their continued use. He also has supported the President's goals in the Middle East. Those goals, as they are relevant to us today, are the complete and unconditional withdrawal from Kuwait by Iraqi armed forces, the restoration of the legitimate Government of Kuwait, and security and stability in the Persian Gulf.

The proper first question to ask, Mr. President, is: What evidence is there that sanctions will work to secure those three goals? Or, for that matter, to secure any one of those three goals?

The one absolutely clear answer to that question, an answer about which there is no dispute whatsoever, is that a period of almost 5½ months of reliance on sanctions has not secured a single one of those three goals nor has it created the slightest degree of progress toward achieving any one of those.

There is no crack at this point in the position which Saddam Hussein and the Government of Iraq have taken from the beginning.

As recently as yesterday, we were referred to a statement which he made on the 15th of August last year which was then and remains today the position of the Government of Iraq.

On the other hand, Mr. President, certain results of the sanctions are clear. No one disputes the proposition that, for all practical purposes, exports from Iraq have been cut off, including all of its petroleum exports and almost certainly most of anything else which it sells. We may well be approaching the time at which 90 percent of its imports have been blocked. Clearly, the standard of living of the people of Iraq

is lower than it was before the sanctions were imposed and lower than they would be if those sanctions were withdrawn.

But that is all that sanctions have done to this point. If we look at the history of Iraq from the year since Saddam Hussein took power, we note the fact that he managed an 8-year war against his eastern neighbor, Iran, a war which dramatically lowered the standard of living of the people of Iraq and which killed more than 100,000 of its young male citizens and wounded hundreds of thousands of others. That did not change the course of action which Saddam Hussein was willing to follow for a period of 8 years, nor did it undermine his power or authority over the country he rules with an iron hand.

During his entire time in office, he has used the great bulk of his very substantial oil revenues to build up his armed services rather than to build up the infrastructure and the standard of living of the people of his country. That has been accepted by those people for some two decades.

Mr. President, the bottom line is that there are no rational grounds upon which to believe that sanctions, standing alone, will change the mind of Saddam Hussein and will gain for us some sudden agreement on his part to withdraw from Kuwait unconditionally, to allow the restoration of its government and to enter into a situation in which the peace, stability, and security of the Middle East is productive.

The case of sanctions, Mr. President, is based upon vague and foolish hopes and no evidence, no hard evidence whatsoever.

Mr. President, to put it another way, if a credible threat of war—the destruction of many or much of his armed might and almost certainly of his own Government—will not move Saddam Hussein to accept and to abide by the resolutions of the United Nations, how can anyone seriously defend the proposition that economic sanctions standing alone will do so?

Mr. President, let us go back again to that characterization of this debate involving war or sanctions, and nothing else. Is war the only alternative to the continued reliance on sanctions? Of course not, but it is almost certain that the only alternative to ratifying the course of action proposed by the President of the United States is a continued reliance on sanctions and on nothing else.

Mr. President, as much as my friend, the distinguished senior Senator from Georgia, may wish it, we simply will not, if we back away from support for the President, be able to follow a strategy of economic sanctions and continued military threat and patience. The military threat will have become nonexistent.

In fact, I have believed for more than 1 month and have stated on a number of occasions that I felt it almost impossible to expect any movement as a result of the resolution of the United Nations in late November earlier than the last 48 hours, perhaps the last 24 hours before the expiration of the January 15 deadline. Saddam Hussein is a skilled practitioner of brinkmanship. He has clearly not yet been persuaded that the United States or the United Nations are serious. He believes that we will, in fact, pass a resolution like that proposed by the majority leader and will back away from this confrontation. He believes firmly and completely in his own ability to come out of this confrontation in a triumphant fashion and as the acknowledged leader of the Arab world.

We will succeed in reaching our goals, Mr. President, without the use of our armed services in conflict only if we back the proposition which the President is acting upon. There is no possibility at any time within the foreseeable future, that if we were to pass a resolution like this, that it will be crowned with any kind of success whatsoever.

Are the only alternatives sanctions or war or leaving? I believe, Mr. President, that we have demonstrated that they are not.

Mr. President, what have we gained during the course of the last 5 months? First, of course, the broadest coalition designed to repel or to counteract naked aggression which has been put together in the world at any time since the end of World War II; a restoration, or perhaps I should say the creation for the first time in 45 years of a central role for the U.N. organization in dealing with the major crisis facing the world. The possibility that we could have a United Nations fulfilling a function for which it was designed by the drafters of the agreement in 1945 is closer to reality today than it has been at any time since that creation. We have, in addition, Soviet support and at least qualified support from China, and strong support from a wide range of members of the United Nations.

Mr. President, are we to say here today or later this week, or early next week that this extraordinarily broad support is not good enough for Congress and the United States; that we will back away from what all of our allies and the United Nations itself have authorized? Can one seriously hold the proposition that our coalition will be strengthened by such an action? Can it be seriously entertained that the United Nations will be taken more seriously the next time it is faced with such a crisis? Or is it more likely that it will become, once again, the irrelevancy it was during much of the cold war?

Mr. President, do we seriously hold to the proposition that support will be

there from the United Nations and from this coalition and from our allies for the use of armed force at some vague and unspecified future time when the proponents of this resolution may finally be satisfied with the obvious truth of the failure of sanctions? When will that future date arrive? During the Muslim month of Ramadan? During the pilgrimages in midsummer in 130-degree heat, on August 2, the anniversary of the occupation of Kuwait? Next winter? When? Will we in the meantime bring home half or two-thirds of our Armed Forces and then return them to the Middle East when that magic date has arrived?

No, Mr. President, an honest examination of this question tells us that waiting, that depending on fruitless sanctions is a prescription for the defeat of the United States and of the United Nations.

It is almost certainly a prescription for more terrorism, for the death and expulsion of more of the citizens of Kuwait, for more of the residents of Iraq itself, for more people in other parts of the Middle East, and it is likely also to mean a war in which the United States is involved at some time within the foreseeable future under worse circumstances and at far greater expenditure of treasure and of lives than that with which we are faced today.

At this vague and unspecified future date, Mr. President, will the coalition still be there? Who will guarantee us that? Who will even give it a 50-50 chance? Or will some of our allies have made the decision that Iraq is really not so bad after all, that the occupation of Kuwait, after all, took place quite a long time ago and very far away and that we are hurting our business communities by continuing to abide by these sanctions? Or will we find that our Arab allies, those immediately threatened by Saddam Hussein, having rightly questioned our willingness to stick to our principles, will simply by this point have made the best deal they can with their powerful neighbor, will have given him control over some 60 percent of the oil of the world and will have acknowledged him the dominant factor, the dominant individual in the Arab world?

Will we avoid war then, Mr. President? Will we lessen the chances of terrorism if we are seen to be cowards and to cut and run than we will if we create a situation in which we have at least to be feared and almost certainly to be respected?

Do you believe, Mr. President, that if we allow Saddam Hussein to succeed we will not see him again, that we will not have to deal with a more powerful Iraq when it dominates the entire Arabian peninsula, when it has perfected chemical and biological weapons and when it is closer than it is today to a nuclear capacity? Will we see less of him then? No, Mr. President, defeat in

this confrontation does not simply mean higher oil prices. It means that we will face Saddam Hussein again, that we will face others who believe that what Saddam Hussein can get away with they can get away with as well. It means, Mr. President, that the likelihood of a much worse war is greatly increased.

No, Mr. President, the cause of peace is not served by this resolution. This resolution serves the cause of defeat, the cause of the abandonment of a noble idea, of a lawful and peaceful world order and the cause of a worse war at a future date. For all that we could desire to agree with the Senator from Georgia that we should rely upon economic sanctions, a continued military threat, and patience, those are inconsistent courses of action. If we back down this evening, this week, or next Monday from this confrontation, there will no longer be a continued military threat to influence Saddam Hussein and there will be no longer be a chance of solving this problem, either successfully or peacefully. The cause of peace, Mr. President, is served best and only by backing the cause of the President of the United States.

The PRESIDING OFFICER (Mr. BRYAN). Who seeks recognition?

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska [Mr. EXON] is recognized.

Mr. EXON. Mr. President, when the Chaplain delivered his prayer this morning on this day, the opening day of debate on the most important matter of our time, he asked for divine guidance and "cool heads and warm hearts." It is in this spirit that I address the Senate at this juncture.

I rise in strong support of the reasoned proposition introduced by the majority leader earlier today. This Senator had a hand in the development of this joint resolution over a period of the last many days.

Never before in my 20 years of high public service have I wrestled with as difficult a decision. The magnitude of our determination is overpowering. The seriousness of the decision about to be made cannot be overstated. Even at this moment this Senator is not sure beyond any equivocation of mental reservation that my judgment is the certain correct one. But it is decisionmaking time, and I hope and pray fervently that my vote and the words from my mouth and my heart stated here are accepted by my God, my colleagues, my constituents, and our dedicated forces deployed in the Mideast, as my very best tortured determination.

Suffice it to say I have no quarrel with my colleagues who have come to different determinations. I do not and will not question their motives. Indeed, I feel that the die is already cast irreversibly to positions opposite mine,



primarily due to the intransigent stand by the Saddam Hussein-led Government of Iraq which he leads. We are nearly certain, save some last minute significant change in posture by Iraq, for an all-out military confrontation that will be emotionally driven by the Jihad or "holy war" mentality. This is evident certainly since the all-out promise from Iraq that if hostilities are to begin, they will attack Israel. Saddam Hussein will employ, probably effectively, his evil "infidels against the true believers" strategy.

Any reason or logic would dictate that Hussein would have his hands more than full in defending against the forces now deployed against him in the Saudi Desert, let alone initiating the significant Israeli military might against him. It is suicidal for Iraq and therein lies proof of his instability. The dangers of massive bloodshed on both sides seem all but lost as the deadly games of chicken and brinkmanship prevail.

Make no mistake about it, despite our differences of how best to proceed, Hussein should not underestimate our bottom line resolve to correct this festering menace. In considering this matter, we are entering into a most delicate and uncomfortable debate, but one that has an inherent and very dedicated responsibility connected to this institution.

The American people are looking to the Congress to fulfill this responsibility and to come to terms with whether Americans are to die in combat. An issue of such gravity transcends the constant siren call of partisan politics, overcomes the magnetic pull of opinion polls. Each Senator, after considerable introspection and soul searching, must speak and vote from his or her heart.

On Tuesday of this week, President Bush called upon Congress to support a resolution which would mirror that which passed the United Nations on November 29, 1990, and authorized the use of all necessary means, including offensive military action, to remove Iraq from Kuwait. To not provide such an authorization, warned the President, would increase Iraqi intransigence and weaken American efforts to oust the brutal occupiers of Kuwait. Implicit in this call for action is that Congress must march in lockstep with the President and the United Nations or open itself to accusations that it has failed to act decisively, weakened the United States in the eyes of the world, and assisted Iraq in its resistance. Additionally, the President and his Cabinet members have repeatedly stated that the President does not need congressional approval before the United States initiates war against Iraq, suggesting in the process that Congress plays a subservient and advisory role to the Executive in declaring war.

Of all the President's positions and pronouncements, this is the one I find

most preposterous. Certainly I agree the President has full authority to take any and all action he deems necessary to defend against an attack on our forces. But offensive action initiated by the United States cannot and must not be decided by one person, regardless of that person's standing or office. Our Founding Fathers did not provide for a king or dictator in our form of government. If the Constitution means anything, it rejects this Presidential position without question. Would the people knowingly elect any person as President who ran for such office claiming the right to initiate an offensive war on his or her own singular decision? At best, I suggest the President is threatening to violate his oath of office.

Many fundamental and extremely complex questions must be addressed before a determination can be made as to the wisdom of authorizing the use of offensive military force at this point in time:

What does Congress risk by waiting beyond January 15 before granting such an authorization?

What is gained by waiting and how is this reconciled with the risks of relying on continued sanctions?

I believe that any objective reading of article I, section 8 of the Constitution yields the conclusion that the architects of that document—the supreme law of our land—gave Congress the power to declare war.

For those who find inconsistency between such an interpretation and the powers afforded the President as Commander in Chief of the military in article II, section 2, the historical record of the Constitutional Convention of 1787 and the Federalist Papers unambiguously document the intentions of our Founding Fathers and affirm the Congress' crucial role.

The Presidents, as Commander in Chief, have sent U.S. forces into combat or potential combat over 200 times in our Nation's history. Only five times has the Executive action been accompanied by a congressional declaration of war. The prevalence of warmaking without a decree has led many in the present day to conclude that the President, therefore, has defacto power to declare war. To the contrary, repeated violation of the constitutional separation of powers is not synonymous with an invalidation or rewriting of the Constitution. If historically the executive branch has exceeded its powers in this respect, so must the Congress share responsibility. As John Hart Ely, a law professor at Stanford University, writes:

A Congress that lets the President call the shots on war and peace, and devotes itself instead to the construction of private political bomb shelters, is not what the Framers of the Constitution had in mind in vesting the war power in the legislative process.

The voice of Congress must be heard before January 15.

Before I address the matter of what is risked and what is gained by Congress withholding at this time its authorization of the use of offensive force, I would like to state my views on the President's policy and actions to date. The administration has carefully crafted international support to economically and politically isolate Iraq as a result of its brutal takeover and subjugation of Kuwait. Working through the United Nations, the United States quickly responded to the invasion and led the world in standing firm against Saddam Hussein.

I strongly supported the President's actions. I realized then, as I do now, that at some future time, if all other means and efforts are tried and fail, offensive action would be justified and should be requested from the Congress and approved. But the rush to combat now, early in 1991, before the embargo and sanctions have been afforded a chance to work, is in my view tragically shortsighted. There never has been an explanation as to why the administration abruptly changed course on November 8, 1990; abandoning its defense strategy for an offensive one which 60 days later has us all but launching all-out combat.

Also, I am concerned by the recent Americanization of the conflict and the perception that war is no longer the last resort in removing Hussein's army from Kuwait. More specifically, I am concerned with the shift in administration rhetoric and policy to use offensive force for reasons, such as Iraq's potential nuclear capability or its large conventional military strength, which are beyond those listed in U.N. Resolution 660 or any other measure approved by the international community. I am disappointed that the military force in Saudi Arabia is predominantly American, with American troops representing approximately 75 percent of the ground forces facing Iraqi tanks. While many Arab States express a desire for an Arab solution and have a combined military power superior to Iraq, their military commitment in this crisis is inadequate. Other nations which heavily depend on Iraqi and Kuwait oil are nowhere to be found when it comes to defending their interests. Fairness has given way to expediency. Machoism has replaced thoughtfulness. War and resultant primarily American casualties are about to occur.

During the 5 months following Iraq's invasion of Kuwait, the fight against Saddam Hussein has changed from an American-led international fight to an American fight blessed by the international community.

What is risked if economic sanctions are given more time and the use of force is postponed? What is risked if we allow diplomacy to try further efforts and reject the premise that "the sky

will fall" unless we comply with the administration's contrived deadline of January 15?

Foremost is the concern that the administration has let slip and discounted the supposedly dedicated international embargo. This weakness can be shored up and the embargo maintained, but unfortunately, the administration has sold out its own plan announced after the August 1990 invasion of Kuwait.

An additional concern is that by postponing approval of military force, Iraq will be strengthened and the United States will have suffered a political setback in the world's eyes. This unfortunate happening is of the administration's own making. There apparently is a misunderstanding of the U.S.-initiated January 15 deadline set forth in U.N. Resolution 678. The resolution does not mandate force be used by January 15; rather, it proposes it may be used. As long as Iraq is quarantined economically and politically by the international community as an outlaw nation, deference in the use of military power does not represent the political defeat that the administration has unfortunately concocted for itself in its rush to combat.

The testimony before the Armed Services Committee on this matter is particularly instructive on why we should give the embargo more time to operate to bring down Hussein rather than rush to combat. Experienced and proven experts in military and international channels, including the immediate past two Chairmen of the Joint Chiefs of Staff and a former Secretary of the Navy under the Reagan administration, cautioned strongly against the immediate combat option as opposed to some deal by means of the sanctions and embargo. Their testimony should be reviewed by all who embrace a course of action contrary to staying the course set out clearly by the administration before November 8, 1990. My question is: Are wise heads prevailing in our rush to early battle?

The correct time for the United States to go to war must not be tied to an arbitrary date established outside the realm of the America's constitutional system of government.

Others have voiced a belief that the longer we wait, the stronger and more entrenched Iraqi forces become in and around Kuwait and the greater the subjugation of the Kuwaiti people to Hussein's occupation. The tragic reality is that Iraq has completely and mercilessly pillaged Kuwait. The defenses of the Iraqi military against a potential offensive are already in place. Time does not afford Iraq any advantage in its military preparedness. This concern has been broadened to include the belief that if Iraq is not disarmed now its military might will only increase over time and may include nuclear weapons capability. Again, it is impor-

tant to understand that the growth of the Iraqi military and its nuclear industry is tied to foreign nations and, therefore, vulnerable to the present and future effects of an embargo.

Mr. President, if these concerns represent the risks of continuing with economic sanctions against Iraq, what are the costs of war? To embrace the military course of action now precludes the possibility of peacefully resolving the conflict. American casualties will be substantial if our military is called upon to force Iraq from Kuwait by ground combat.

Additional time gives American forces a greater chance to fully deploy and train in the region, thus increasing readiness and preparedness if war is authorized. While economic sanctions work their course, the effectiveness of America's military option need not diminish unless rotation of troops is made difficult because of overdeployment. This can be corrected.

The administration has steadfastly refused to share with the Senate the potential casualties under different scenarios they have developed or the likely length of a war. Surely such figures cannot be precisely determined, but just as certain is the fact that the Pentagon has such estimates. It may be that we could accomplish our goals, whatever they are, and they have not been explicitly stated and defined, with massive air strikes. Certainly we would have nearly total and unchallenged air superiority in the first few days of war. But would that suffice?

Iraq's defeat primarily at the hands of Americans would likely yield generational enmity against the United States in the gulf area, irrevocably changing our Nation's influence in the region. Such a military victory would undoubtedly require long-term commitment of our troops in the area. Both the short-term and long-term consequences of launching a strike against Iraq must be considered.

Having weighed the risks of continued sanctions against the costs of war, I cannot support a resolution which open-endedly authorizes the use of military force at this time. The ultimate effect of sanctions on the Iraqi economy, military and political, will not be determined for months to come. Time, patience, and diplomacy are still effective weapons in the gulf crisis and will continue to be after January 15. A premature move to war could be costly. General Schwarzkopf, the commander of our forces in the gulf, said on November 29: "If the alternative to dying is sitting out in the Sun for another summer, then that is not a bad alternative."

Mr. President, I join my colleagues in their disappointment with the results of Wednesday's meeting between Secretary Baker and Minister Aziz. Iraq's actions since August 2 have been criminal and immoral. Its reluctance to ca-

pitulate and withdraw from Kuwait is contemptible. But history is filled with wars that could have been avoided, lives that might not have been lost.

I am not endorsing appeasement, nor am I suggesting that the President's demand for unconditional withdrawal of Iraq from Kuwait be softened one bit. The President, the United States, and the world must continue to stand firm against Iraq. Yet, one needs only to look at our military commitment to NATO and our stationing of hundreds of thousands of Americans in Western Europe and in Korea for decades to appreciate America's potential fortitude and patience. I cannot at this time in good conscience accept war in early 1991. It is premature and potentially disastrous. Patience remains a virtue.

Nevertheless, Mr. President, at this juncture, and given the realities of the situation that now confront us, the Senate must move quickly and vote its majority position, whether or not the conclusions of this one Senator or others similarly situated prevail.

I strongly believe that the proposition introduced by the majority leader is the wise and the prudent course of action. However, from the beginning of our deliberations over the gulf crisis since returning to begin the 102d Congress, I have maintained that expedited procedures must prevail in the Senate and that we should, in fairness to the President and in view of the tenuous international situation, surrender some of our individual prerogatives and let the Senate majority work its will. Whatever the Senate majority decision is to be it must be resolved expeditiously.

Mr. President, I thank the Chair and I yield the floor.

THE PRESIDING OFFICER. The Senator from Mississippi is recognized.

#### PERSIAN GULF CRISIS

Mr. COCHRAN. Mr. President, we have had a lot of discussion today about the resolution that has been introduced by the majority leader and others in connection with this Persian Gulf crisis.

In the initial moments of our session early today I was disappointed to learn that the majority leader would be putting before the Senate a partisan resolution, a resolution crafted by Democrats, approved by the Democratic Caucus in large part, and submitted to the Senate as the proposal for Senate action in response to a request by the President of the United States to support U.N. Security Council Resolution 678 and affirm the support of the Congress for the actions of our President in this crisis.

I am disappointed because it seems to me that at this time it is very important for the Senate to act in a bipartisan way rather than in a partisan fashion. It is my hope that time has not run out on our opportunity to take that kind of action. It is the hope of



this Senator that Democrats and Republicans in this body can work together to develop a resolution that will respond to the President's request and that will, in effect, be a statement in support of the President's actions in support of the U.N. Security Council Resolution 678 and others, and which will result in increasing the likelihood for peace and security in the region and not war.

It is my sincere belief and fear that the passage of this resolution proposed and pending before the Senate now, would make war more likely rather than less because it would encourage Saddam Hussein to miscalculate the unity in the U.S. Government over action under the U.N. Security Council resolution. It could encourage Saddam Hussein to think no action would be taken, that no force would be used to insure his withdrawal from Kuwait and that therefore he could continue to occupy Kuwait with a large military force, and could continue to supply and enlarge that force without running the risk of encountering hostile military action.

It is my firm belief that if Saddam Hussein thinks he is going to have military force used against him and that it may be used after January 15, he will begin finding ways to withdraw from Kuwait. He will begin finding ways to enter into some understanding that would suit the interests of those at the United Nations who have been working to convince him he cannot win by this kind of aggression and thus we would avoid armed conflict in that region.

So I take a different view from those who have spoken today who suggest that the passage of this resolution is a vote for peace, not war; it is a vote to let sanctions work; it is a vote to take advantage of more opportunities that may later develop, whatever they may be, to reach other understandings over the disagreements which exist in that region.

I think it may be too late, Mr. President, to make changes now in the commitment the world community has made to support the sanctions and the provisions of the Security Council resolution. The world community is standing with the President of the United States. It is time for the Congress to stand with our President, too. It is time for us to send a very clear message that the U.S. Government is together in this crisis, not divided, not sitting here wringing our hands wondering what we do next, not disturbed over whether or not the Constitution is being fulfilled in every particular or whether it is not.

The fact is that these debates have been raised in our country for almost 200 years, debates on the balance of power between the Executive and the Congress and in situations that involve the military and military action.

We are at the point now where the relevant facts are that Saddam Hussein has continued to ignore the urgings, the demands of the world community to withdraw his military forces from Kuwait or suffer possible military actions to force his withdrawal. So here at the 11th hour the Congress meets to debate whether or not the United States, the most powerful country in the world today, should support the U.N. Security Council's authorization of the use of any means necessary to enforce that Security Council resolution.

To me, it would be devastating to the integrity and to the credibility of the Security Council and to our own President, if we adopted anything in this body other than an endorsement of that resolution supporting our President in this time of crisis.

So, the facts can lead Senators to debate on one side or the other, and to make conclusions that are at variance with others. We can have disagreements. There can be partisan and bipartisan disagreements on these issues. But when we really look at what the relevant facts are it seems to me that the Senate should agree as a body with an overwhelming majority in support of our President, and in support of the United Nations, standing shoulder-to-shoulder making it very clear to all of the world and Saddam Hussein that we are together on this and that he runs the risk of encountering military action unless he voluntarily withdraws from Kuwait.

If he does not understand that because of the differences that exist on this floor and in this Congress then we may be to blame for the miscalculation and the consequences that may result. Nobody knows what is going to happen tonight or tomorrow in that region. We do not know what he is thinking, what motivates him. We know he is unpredictable. We do not know where the war if it starts would spread; where the military action would lead. There is no way to know all of the answers.

But that should not prevent us, just because there are many unknowns, from resolutely affirming our support for our President in this crisis and for the United Nations which has at our request time and time again condemned this invasion and its aggression and brutalities and to insist upon the withdrawal of Iraqi forces from Kuwait. It is purely and simply that which is at issue.

I hope the Senate will act now. The time for action is now. Delays, and prolonged confused debate over the issue, are not going to serve the interests of those who fear going to war because they may trigger a war, unwittingly, unintentionally, but nevertheless surely. The best path to peace, Mr. President, is standing firmly together, united with the world community, with our President.

The PRESIDING OFFICER. The Senator from Arkansas, Senator BUMPERS is recognized.

THE NEED FOR THOUGHTFUL, SENSIBLE DEBATE

Mr. BUMPERS. Mr. President, I will be relatively brief in my comments on the matter before the Senate.

This is a very somber time, probably the most difficult time since I have been in the Senate, and that is now 16 years. And the need for thoughtful, sensible debate has never, never been greater.

This is not a partisan issue, and it is not an issue over whether we are going to support the U.N. resolution. President Bush deserves a lot of credit for having gone to the United Nations and put together this coalition and having gotten roughly 12 resolutions passed. It was no easy chore, and he and Secretary Baker both deserve a lot of credit for that.

The President deserves a lot of credit for coming to the U.S. Congress and saying, in effect: I recognize that the Constitution of the United States vests in you the power to declare war. It is as clear as the mother tongue can make it.

I was a little chagrined and dismayed when from time to time I heard some Cabinet Members say: Well, the President would like to have the Congress on Board but if that cannot be then he will go it alone.

That is a very dicey thing to say. But I just heard my good friend, the Senator from Mississippi, talking about the partisan resolution offered by the majority leader. I support that resolution. I do not consider it partisan at all. It was very carefully crafted.

Senator NUNN—who is considered one of the real lights, the light in this body on military matters—had a heavy hand in crafting it. He accepted a lot of suggestions. That resolution was crafted to say we are not going to rule out force forever. But what we are saying is that that is the last option we should use.

Mr. President, I intend to speak more on this subject tomorrow if I can get the time, but I want to point out to my colleagues right now, this debate is not about whether Saddam is going to leave Kuwait. So far as I know, 100 men and women in this body agree on that. He must leave. This debate is not even about who is going to win the war. Even Saddam Hussein knows who is going to win the war—depending on how we define "win." But this is one of the nice things about being a powerful nation. The Senator from Nebraska just said this is the time for patience. One of the great benefits of being a powerful nation is you can be patient.

I have told this story a couple of times during my tenure in the Senate but this is a good time to repeat it. It comes from Bracelyn Flood's book called, "Lee: The Last Years." It deals

with the last years of Robert E. Lee's life. There is a poignant scene in it.

After Lee had offered his sword to Grant and surrendered at Appomattox Courthouse he got on his magnificent white horse, Traveler, and started riding toward Richmond where an apartment had been prepared for him, a home. Lee had not wanted the war. He did not want Virginia to secede. He thought a bunch of hotheads had brought on an unnecessary war. Of course today we know that it was by far the bloodiest war ever waged in the history of this country.

There were a lot of people who thought it was going to be a short war. People in the south were saying "we will whip those Yankees in 30 days." To put just a little levity into what is a serious matter, there is a story about a Mr. Toombs, who was a general in the Confederate Army. After the war, he was running for Governor of Georgia, and he was making this barn-burning speech about why they ought to vote for him.

A young rebel veteran stood up and said:

Mr. Toombs, why should I vote for you? You were the recruiting officer for the Confederate Army, and you talked my two brothers and me into joining the rebel army, and you told us we could whip those Yankees with cornstalks.

Mr. Toombs said, "We could have too, but we couldn't get em' to fight with cornstalks."

To get back to the serious part of this story. General William T. Sherman resigned as head of a military institute in Louisiana to come and fight with the North. And he said, "I fear this war is going to be much longer than anybody believes. It is going to be long and it is going to be bloody." He of course, was right.

And, so, 4 years later, Robert E. Lee is riding his horse from Appomattox Courthouse to Richmond, and he stopped one day on the trip. There was a place where a battle had been fought, dead horses and dead soldiers lay on the battlefield. General Lee swept his hand, and said: "The politicians caused this. This could have all been avoided. All we needed to avoid this war were a few men of courage, of vision and forbearance"—another word for patience.

But my beloved Southland lay in ruins, and the whole country almost never overcame the trauma of that war.

The majority leader's resolution is carefully crafted not to insult the President, not to say, Mr. President, you are dead wrong. What it says in effect is there are three ways to get Saddam Hussein out of Kuwait. One is by diplomacy. Bear in mind, yesterday was the first day of diplomacy. It turned out to be an abysmal failure, but it was the first effort. Should we 2

days later say all is lost, we have to go to war?

The resolution further says the sanctions are a second way to get him out and the third way is force. But the third way should also be the last way.

I must say to my colleagues on the other side of the aisle who, so far as I know, will support the President and give him the authority to go to war: I will not, but I am not saying that I will not because I am a Democrat and the President is a Republican. I just think every option, every avenue ought to be pursued before I say to the hundreds of parents in my State that your sons and daughters may be called upon to die in a war that this country is deeply divided over.

You can make all the speeches you want to about partisanship. You can make all those speeches you want to about Saddam being a tyrant. Nobody questions that. But I can tell you the country is deeply divided. When a country is not totally united, it is not a good time to go to war anyway.

Mr. President, what do we lose by waiting a while? Nothing. What do we gain? We may gain the ultimate goal of getting Saddam out of Kuwait without war. And if we do not, the CIA will tell you that Iraq's military apparatus is beginning to rust; they will tell you that the sanctions are having an effect, maybe not to the effect that they will get him out, but they are having an effect, and every day that goes by is in our favor. Our men and women in Saudi Arabia may not have to fight an enemy quite as strong because every day that goes by, he cannot get spare parts for his planes and his tanks.

But the resolution which has been called partisan does not rule out anything. It simply says not yet Mr. President, but if you choose to come back to us a little later, we will consider it. I personally think that he ought to tell us that the sanctions are not going to work and he ought to tell us that every diplomatic initiative, whether by Cuellar, Mitterand, whoever, has failed miserably.

Mr. President, I heard one Senator today talk at length about what a tyrant Saddam is. That is not the issue. The world has always had tyrants. There is a revolution going on in Somalia right now to overthrow a tyrant. Another tyrant, Samuel K. Doe in Liberia has just been overthrown. South Africa has had essentially one tyrant after another up until recently that subjugated 20 million black people to unspeakable conditions, and we happily did business with them, just as we happily did business with Saddam before this.

That is not the test. I think Saddam probably is the most dangerous leader in the world today. Bear in mind, I cannot repeat it often enough, he must leave Kuwait.

I heard another Senator talk about our vital interests.

Excuse me for another personal reference, Mr. President. Whether we admit it or not, we all use our own personal experiences. Santayana said those people who do not remember history are doomed to repeat it. I am something of a history student, not a real scholar, but I love history. But the history I understand best is the history I have lived through, and that includes World War II, the Korean War, and the Vietnam war, and maybe this one. I know all about those wars because I was alive and witnessed them.

But I remember when I ran for Governor in my State in 1970. I had been, not a staunch proponent of the Vietnam war, but a proponent, and every time I saw the demonstrations and the young college kids burning their draft cards and carrying on with these demonstrations, it made my blood boil. It really offended my patriotic spirit.

You have to bear in mind, at that time, I felt no threat to my family. Then all of a sudden, my number one son turned 17, and in another year he will be required to sign up for the draft, and shortly after that, he is going to have to make a decision on whether he is going to stay in college or be drafted. Was that not a strange thing? You could go to college and avoid the draft, which meant the well-to-do kids went to college and they did not fight in Vietnam. Some of them did, but they did not have to.

All of a sudden, I am confronted with this question. What are our vital interests in Vietnam? I had been offended by the draft card burners. I was dismayed that we could not seem to bring that war to a conclusion, and then I began to try to explain to my son why he might have to go to Vietnam and give his life. And I failed utterly, miserably, because I could not think of a single reason why we were there when my son's life was at stake.

So, Mr. President, war, as Admiral Crowe said, is a messy business. And I might say to my good friends on the other side of the aisle who talk about partisanship and who say we should give the President a blank check. I cannot find anything in the Constitution that says you must support the President if he is a member of your party or you must oppose the President if he is not a member of your party. What it says and what it does not say is easy to understand. It is that in trying, delicate, difficult times, such as we are in right now, every person in this body will be expected to use his common sense, his best judgment, his understanding of history, and his best shot at what is best for the future of America.

This is not a partisan debate. Everybody owes it to himself, to his family, to the men and women in Saudi Arabia, and, above all, to his country, to give



this whole thing his best shot and not to abdicate his constitutional duty.

Mr. President, when I read that the Soviet Union lost 20 million men in World War II, that is a staggering figure. Who can relate to 20 million people being dead? In my little hometown of 2,000 people, my mother and father were killed in a car wreck. My father was a civic leader in that community. It just tore that small community up, and you can imagine what it did to my family. It was an unbelievable tragedy. It was the worst thing that anybody could think of that had happened in that community in a long time. Two people, my mother and father. As a matter of fact, three; another man was killed in the same wreck, hit, incidentally by a drunken driver, and my father I do not think ever tasted alcohol in his life. What a terrible tragedy it was in that community.

But people came home from Vietnam to little Charleston, AR. Some of them had been wounded, some of them had gone through unbelievable trauma. People said, "Where have you been, Joe? I haven't seen you in a while?" Fifty-five thousand men and women killed but who could relate to 55,000.

And in this war, 1,000 to 20,000 casualties. I've heard that, 1,000 deaths would be acceptable? Acceptable to whom? Who can relate to 1,000 dead like you can to one precious child being killed in a car wreck? Difficult, is it not?

Well, it is not to me. I have three children. I do not think I love my children any more than anybody else does, but I do not see how anybody can love theirs any more than I love mine.

If I had to give one up because the interest of the United States was vital, I guess I would have to do it, painful as it might be. But when I heard a Senator this afternoon talk about our vital interests, he immediately shifted to oil and he started talking about how much oil Kuwait and Iraq and Saudi Arabia have together. Bear in mind, Mr. President, the world is awash in oil. Nobody misses Kuwait-Iraqi oil. The price of oil on the market today is a reflection of fear of war, not of supply and demand. There is plenty of oil. There are no lines at service stations. So we do not have a vital interest in oil in Kuwait and Iraq.

Mr. SARBANES. Will the Senator yield on that point?

Mr. BUMPERS. I will be happy to yield.

Mr. SARBANES. Is it not a fact that the current policy without going to war has in fact protected Saudi Arabia, our forces have deterred any aggression into Saudi Arabia, and therefore the oil of Saudi Arabia, if you want to use an oil equation? I agree with the Senator there are other broader and fundamental equations to use. But if you want to use an oil equation, the current policy of deterrence and economic sanctions has in fact protected the Saudi Arabian

oil and therefore made it possible worldwide to meet the demand and, as the Senator points out, the price goes up because of the war scare, not because of the supply and demand situation.

Mr. BUMPERS. I thank the Senator for his comment, which is absolutely on target.

When the President said we are going to defend Saudi Arabia, I agreed totally with it. The idea of allowing Saddam Hussein to control all the Kuwaiti oil, all the Iraqi oil, and all the Saudi oil, would allow him to control roughly 45 percent of the world's oil supply. That would be unthinkable. That would not only just affect us. That would affect the whole world. The whole world's economy would collapse if Saddam Hussein had a stranglehold on all that oil.

So when the President says our first goal is to defend Saudi Arabia, I support you, Mr. President. And I applaud what you did.

But then sometime in November when we were out of session the thing turned offensive and the President said we are going to send another 200,000 men. That put an entirely different twist on it.

Mr. President, I might say, based on the best information I can get, we have somewhere between 70,000 and 100,000 men and women still on their way to Saudi Arabia, so I would assume if we are going to have 430,000 men and women there before the war starts, that is going to be awhile anyway. So the resolution of the majority leader is not going to jeopardize this country as to time; it is not going to put us at a disadvantage for some time.

All we are saying Mr. President, is that we are not ruling it out. As a matter of fact, in the first paragraph of the resolution we say you have the right to defend all American interests in the area. You can interpret that different ways. Even the President could interpret it different ways. What we are saying is just a little more time, Mr. President, because a little more time is preferable to 1,000 to 20,000 lives.

Mr. President, I yield the floor.

Mr. EXON. Will the Senator yield for a question before yielding the floor?

Mr. BUMPERS. I will be happy to.

Mr. EXON. I thank the Senator for his excellent remarks. I thank my colleague from Arkansas. We were elected Governors of our respective States on the same day, interestingly enough. We come from the same vintage. We have had the same experiences. We each have three children, and we have been close friends for a long time.

I was really struck by the Senator's attitude toward the Vietnam war protestors. I felt exactly the same way, I say to my friend from Arkansas.

My question comes down to what I have been quite shocked at hearing at least on one occasion on the floor

today, that the resolution offered by the majority leader was somehow partisan. I was a part of the group that drafted this resolution, and in all instances I can assure my friend from Arkansas and the Senate as a whole that the furthest possible consideration from our minds was partisanship.

Just to make sure that people understand how truly nonpartisan this is, I intend to wait until some of my colleagues who are waiting to talk have their say, and then I want to read this once again for the people in the audience and the people in the television audience to see whether or not anyone thinks it is partisan.

My question is, I am wondering if my friend from Arkansas remembers Admiral Crowe, the immediate past Chairman of the Joint Chiefs of Staff. Is the Senator familiar with him?

Mr. BUMPERS. I know him. He is a good friend.

Mr. EXON. I am wondering if my friend from Arkansas is familiar with David Jones, Four Star David Jones.

Mr. BUMPERS. He was Chairman of Joint Chiefs of Staff when I came to the Senate.

Mr. EXON. I am wondering if my friend also knows James McGovern, the former Secretary of the Navy under the administration of President Reagan? I wonder if the Senator knows General Odom, who was played a key role for a long time? I am wondering whether or not the Senators know the political affiliation of any of those individuals?

Mr. BUMPERS. I do not.

Mr. EXON. I simply brought these names up because all should understand that all four of those individuals and others testified in open session in the Armed Services Committee along the lines expressed in this resolution, basically that they all felt as military people it was a grave mistake, a very grave mistake, to rush to combat. They suggested that sanctions be given a chance to work and that we have just a little bit of patience as a military power and world leader.

I asked those questions of the Senator from Arkansas only to say that this is not a Democratic or Republican issue; that people like those who I have just mentioned and many others, including the distinguished former Secretary of Defense and secretary of almost everything else in both Democratic and Republican administrations, James Schlesinger, has the same position.

Therefore, the basis for this document comes from testimony from the Armed Services Committee, and as I am sure my friend from Maryland would agree, from the Foreign Relations Committee, very distinguished people of all political faiths have come forth openly and in some cases somewhat surprisingly to endorse the basic concepts of this resolution.

Mr. BUMPERS. I say to the Senator, if I may just comment pursuant to the Senator's comments, I do not want this to sound banal or self-serving, but I will say I was shocked to hear people today talking about partisanship on this issue.

If there was ever a time—when partisanship should play no role in our deliberations—I mean there are going to be several people on this side of the aisle vote for precisely what the President wants.

But I hear some people talking about how wonderful the United Nations is who have never voted for a contribution to the United Nations since I have been in the Senate. But that is neither here nor there.

I am a supporter of the United Nations, and I am a supporter of the resolution. As I say, I applaud the President for that. But I was shocked by the partisan tone of some of the comments I have heard because this is too serious a matter to even think about partisanship. This deals with the very future of this country at a very difficult time economically in this country, a difficult time politically for that matter.

But I have a tendency to ask some members, "What do you know that Admiral Crowe and General Jones and six of the last Secretaries of Defense do not know?" We are talking about the top military leaders and the top Secretaries of Defense for the last many years who have advised us not to get into this thing yet; do not start a war; let the sanctions work. And you have to say what do you know that these men, who have been the top people in this country, what do you know that they do not know?

So, Mr. President, I close by saying the constitutional duty is for everybody in this body to make his own individual judgment. Do you know what James Madison said in Philadelphia in 1787? The reason they wanted to give Congress the exclusive right to declare war was because, as Madison said, it will be to the liking of Presidents to start wars.

Kings and tyrants in Europe had always had carte blanche authority to start wars, and they knew that history. They wanted no part of it. That is the reason they wanted to separate the warmaking power or the war-declaring power from the executive branch here. It is an awesome responsibility and we ought to accept it as being awesome.

Let me just simply say, James Madison said: "It will be to the liking of Presidents to wage war." It was DALE BUMPERS who said "it is easy to get into wars; it is not so easy to get out of them."

Mr. President, I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I want to follow along with something

that the very able and distinguished Senator from Arkansas said in responding to the questions of my good friend, the Senator from Nebraska.

When former National Security Adviser Brzezinski was before our committee, I put a question to him. I said:

Well, the difficulty as I see it is that the administration is not really coming to grips with some very cogent questions or concerns that are being raised about this policy. And those questions and concerns are coming from very responsible people, experienced, mature in judgment, in a very real sense, wise people.

I was thinking of the very people that the Senator made reference to, former Secretaries of Defense, the former distinguished Chairmen of the Joint Chiefs of Staff, former National Security Advisers, former Secretaries of State.

Dr. Brzezinski responded, and he said:

In recent years we have been engaged in several wars which took time; World War II, Korea, Vietnam.

And after discussing those wars he went on and said:

This is the first case I can think of in modern times, and in which we may be embarking on a major military adventure, in which extremely senior people, probably the majority of former high policy office holders, are telling the President "Don't do it." Secretaries of Defense, former Chiefs of the Joint Chiefs of Staff, I suspect former Secretaries of States, others, former National Security Advisers. It is something to think about, and it does bear on the nature of the decision-making process.

Mr. President, what I want to do here for just a few minutes is to quote from some of these former officials, and to place their testimony in the RECORD, in some instances at some length, I want to establish clearly that there are a significant number of very experienced and wise people to whom we have continually turned for counsel, men who transcend the politics of administration, who oppose resorting to war and want to give sanctions time to work.

In fact, some of the people I am going to quote were named to their important positions by Republican Presidents; some by Democratic Presidents. All are recognized as experts in the national security field, and testified either before the Senate Armed Services Committee, of which the very able Senator from Nebraska is a member, or before the Senate Foreign Relations Committee.

Let me first quote from Admiral Crowe, Chairman of the Joint Chiefs of Staff from October 1985 until September of 1989. At one point in his career, he was commander of the Middle East Force, which is a command based in Bahrain in the Persian Gulf. That was in 1976 and 1977. He spent over a year actually out in the area, and has followed the area closely ever since.

Let me say at the outset that I have not been able to understand why the

administration has taken a policy that could be portrayed as a success, the combination of sanctions and the deterrence of any further aggression by Saddam Hussein against Saudi Arabia, and portrayed it as a failure.

The Secretary of State, for instance, says the sanctions are not working because Saddam has not yet left Kuwait. No one expected that the sanctions would get Saddam out of Kuwait in the short run. The sanctions are working in the sense that they are imposing heavy costs on Saddam Hussein and Iraq with each passing day—the costs he is paying are mounting all the time. The assumption of the policy when it was put into place by the President, I take it, certainly the assumption of those of us who supported it, was that over time as the bite of these economic sanctions were felt and the punitive containment—the embargo, the blockade, the use of force to make the sanctions effective through the blockade—as that bite, stronger and stronger with the passage of time, it would over time lead to his departure from Kuwait. Of course no one can guarantee that.

But no one can in good conscience at this point assert that the sanctions will not work, because the sanctions have not been given enough time to work in terms of getting him out of Kuwait. The sanctions are working in the sense that he is paying a heavy cost and reaping no rewards from his aggression.

In fact, Admiral Crowe, speaking about the effectiveness of our policy, said in his testimony at the end of November before the Armed Services Committee:

It is important to recognize what has been achieved thus far:

Some pundits contend that Saddam Hussein's primary goal is to control the bulk of the Middle East oil and to dictate the price of crude to the West. If that is correct, any such design has been frustrated. He has been served clear notice that he will not be allowed to capture the Saudi oil fields either now or in the future. A definite line has been drawn constraining him and his inflated ambitions.

The increased oil income Saddam had in mind has not materialized. In fact, Baghdad has forfeited 20 billion dollars of foreign exchange earnings a year and as Secretary Schlesinger pointed out, this figure would be \$30 billion at the current oil price. In a country the size of Iraq that is not chopped liver.

Moreover, it has been graphically demonstrated that the West can live rather well without Iraqi and Kuwaiti oil. Granted some special areas of refined products are strapped, but those deficiencies are not having a heavy impact on the industrial nations. Frankly, the price swings we see have been generated as much by psychological factors as by supply and demand. We have been impacted by these oscillations, but fortuitously the bill has already been paid as the market has adjusted. Iraq cannot make that claim.

The embargo is biting heavily. Given the standard of living Iraq is used to and the increasing sophistication of Iraqi society, it is dead wrong to say that Baghdad is not being hurt; it is being damaged severely. That goes



for the Iraqi military as well, which depends on outside support. Yesterday Secretary Schlesinger elaborated on these impacts. Iraq's civilian production has declined by 40%, exports earnings have sharply dropped, and economic flexibility is rapidly disappearing. Military industry will likewise be hit. It is the most effective peacetime blockade ever levied.

Granted that the embargo is not working as rapidly as many would prefer; but if we wanted results in two or three months, clearly a quarantine was the wrong way to go about it. Most experts believe that it will work with time. Estimates range in the neighborhood of twelve to eighteen months. In other words, the issue is not whether an embargo will work, but whether we have the patience to let it take effect.

Admiral Crowe then goes on a little later to conclude:

The argument that Saddam is winning and being rewarded is both weird and wrong. Obviously, this fact is often overlooked by those calling for more direct action.

Along the same line, Secretary Schlesinger, former Secretary of Energy, former Secretary of Defense, Chairman of the Atomic Energy Commission, Director of the Central Intelligence Agency, came before the Armed Services Committee and testified as follows:

Let me turn now to the alternative strategies available to the United States and its allies. The first, of course, is to allow the weight of the economic sanctions, imposed in August, gradually to wear down the capacity and the will of Iraq to sustain its present position. The embargo, backed up by a naval blockade, is the most successful ever achieved, aside from time of war. Early on it was officially estimated that it would require a year for the embargo to work. It now appears to be working more rapidly than anticipated. In three months' time, civilian production is estimated to have declined by some 40 percent. Oil exports are nil, and export earnings have dropped correspondingly. The horde of hard currency, necessary to sustain smuggling, is dwindling away. The economic pressure can only grow worse. While Iraq's military posture does not appear to have been seriously affected as yet, as the months go by that, too, will be seriously weakened. Lack of spare parts will force Iraq to begin to cannibalize its military equipment. Military industry, as yet significantly unaffected, will follow the downward path of civilian industry. In short, the burden on both Iraq's economy and her military strength will steadily increase.

In both instances, we have very strong testimony from a former Chairman of the Joint Chiefs of Staff and a Secretary of Defense and Director of the Central Intelligence Agency about the impact of the sanctions and how well they are working. And, of course, given this testimony about the effectiveness of sanctions one has to question severely this march to war now, this rush to war. Why are we being placed on a schedule for war which precludes sufficient time for a sanctions policy to be fully effective? As Secretary Schlesinger observed with respect to the sanctions:

One should note that, since the original estimate was that the sanctions route would

require a year, it seems rather illogical to express impatience with them, because they will not have produced the hoped-for result in 6 months' time.

I must say that I think this observation is apparent on its face, but let me read it again:

One should note that, since the original estimate was that the sanctions route would require a year, it seems rather illogical to express impatience with them, because they will not have produced the hoped-for results in 6 months' time.

Secretary Schlesinger then continued:

In this connection one should also note the frequently expressed view that Saddam Hussein must be "rewarded" for his aggression, but instead must be "punished." As an expression of emotion it is understandable, but it must not be allowed to obscure our sense of reality. Saddam Hussein is being punished and punished severely. He has forfeited \$20 billion of foreign exchange earnings a year—indeed \$30 billion at the current oil price. Iraq's credit is totally destroyed, and the remnants of its hard currency reserves dwindling. When Saddam looks across the border at Saudi Arabia or the UAE, they are prospering because of his actions—from which he himself has derived no benefit. He is likely to be consumed by envy. His own economy is rapidly becoming a basket case.

Moreover, the position of preponderance that he had earlier achieved in OPEC is now gone. He is diplomatically isolated. His military position will slowly be degraded. His pawns in Lebanon have been wiped out—by his chief Baathist rival, Assad, who has immensely strengthened his own position. He has been forced to accept an embarrassing peace with Iran, and that Nation's position relative to Iraq is slowly being improved. Sympathetic nations like Jordan and Yemen have been harshly treated—and neither they nor he have any recourse. On the benefit side stands only the looting of Kuwait.

In brief, Saddam Hussein staked Iraq's position on a roll of the dice—and lost. Only if he has a deeply masochistic streak can he regard himself as "rewarded." To allow our political rhetoric to obscure the severe punishment that has already been meted out or to suggest that our current policy is in some way unsuccessful and that Saddam's position is now or is potentially enviable strikes me as misconceived.

Mr. President, what we are addressing here is the war option. That is what this debate is about. Make no mistake about it. It is asserted by some that we should authorize the President to use force because then the threat of force will bring about a positive result. The difficulty with that approach is that if you give the President the authority to use force so he may threaten war he can in fact then take the Nation into war without the Congress ever facing directly the question of whether America should go to war.

The resolution the President is seeking is not a resolution to threaten the use of force, it is a resolution to use force. Of course he asserts if he has that authorization his threat will have greater credibility. But, of course, it also means that he then has the authority to launch hostilities if he chooses to do so. Those who want to

authorize the use of force to enhance the threat of war are at the same time authorizing war itself. That is why we are having this debate—to consider the fundamental question of whether the Nation should go to war. To consider the fundamental question of whether the goal of deterring aggression which is a proper and desirable goal can be achieved in some other way than going to war.

Let me again quote witnesses before the committees to establish further the proposition that very experienced, mature individuals who have held significant policy positions in our Government, individuals perceived as transcending politics both in the military and the foreign policy field, have expressed these reservations and concerns about the President's policy.

These reservations and concerns are coming from very wise heads and they need to be listened to and their arguments need to be addressed.

Now Secretary Schlesinger in his testimony before the Committee on Armed Services said about the military option:

There is little question that the United States and its allies can inflict a crippling military defeat on Iraq. It can eject Iraq from Kuwait; it can destroy Iraq's military forces and military industries; it can destroy, if it wishes, Iraq's cities. The question is at what cost—and whether it is wise to incur that cost. Whenever a nation accepts the hazards of war, the precise outcome is not predetermined. Depending upon the military strategy chosen and the tenacity of Iraq's forces, there could be a considerable variation in the outcome. In the event of an all-out assault on entrenched Iraqi positions, the casualties may be expected to run into several tens of thousands. However, if we avoid that all-out assault, make use of our decisive advantages in the air, and exploit the opponent's vulnerabilities by our own mobility, the casualties could be held to a fraction of the prior estimate. In between four and eight weeks, it should all be over—save for starving out or mopping up the remaining Iraqi forces in Kuwait. The question then becomes whether one goes on to occupy Iraq, to destroy the balance of Iraqi forces, and the like. That would be far more difficult and time consuming, but circumstances may make it unavoidable.

I think it prudent to say no more about strategy and tactics in this session. Suffice it to say that the immediate price will not be small. American forces would be obliged to carry a disproportionate burden in any struggle. This will affect the attitudes of our public and the attitudes in the Middle East regarding the United States.

I believe that the direct cost of combat—including that of a probable scorched earth policy in Kuwait—will be the lesser part of the total cost. The Middle East would never be the same. It is a fragile, inflammable, and unpredictable region. The sight of the United States inflicting a devastating defeat on an Arab country from the soil of an Arab neighbor may result in an enmity directed at the United States for an extended period, not only by Iraq and its present supporters, but ultimately among the publics of some of the nations now allied to us. To be sure, there are no certainties, yet that risk must be born in mind. Moreover, the United States

will be obliged to involve itself deeply in the reconstruction of the region in the aftermath of a shattering war. In brief, the non-combat costs of a recourse to war, while not calculable in advance, are likely to be substantial.

Mr. President, I ask unanimous consent that the full statement of Secretary Schlesinger, former Secretary of Defense and former Director of the Central Intelligence Agency, be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. Mr. President, I want now to refer to the comments of former national security adviser Brzezinski again addressing this question of the sanctions route or the war route.

He was discussing the forthcoming talks between the United States and Iraq that were then under consideration. In his testimony in early December, he says with considerable foresight:

However, it is quite possible, perhaps even probable, that the talks will initially prove unproductive. In my view, that should not be viewed as a *casus belli*. Instead, we should stay on course applying the policy of punitive containment. This policy is working. Iraq has been deterred, ostracized and punished. Sanctions, unprecedented in their international solidarity and more massive in scope than any ever adopted in peacetime against any nation—I repeat—ever adopted against any nation, are inflicting painful costs on the Iraqi economy.

Economic sanctions, by their definition, require time to make their impact felt. But they have already established the internationally significant lesson that Iraq's aggression did not pay. By some calculations, about 97 percent of Iraq's income and 90 percent of its imports have been cut off, and the shutdown of the equivalent of 43 percent of Iraq's and Kuwait's GNP has already taken place. This is prompting the progressive attrition of the country's economy and war-making capabilities. Extensive rationing is a grim social reality. Over time, all this is bound to have an unsettling effect on Saddam Hussein's power.

The administration's argument that the sanctions are not working suggest to me that—in the first instance—that the administration had entertained extremely naive notions regarding how sanctions actually do work. They not only take time, they are by their nature an instrument for softening up the opponent, inducing in the adversary a more compliant attitude towards an eventual nonviolent resolution. Sanctions are not a blunt instrument for promptly achieving total surrender.

Worse still, the administration's actions and its rhetoric have conveyed a sense of impatience that in fact has tended to undermine the credibility of long-term sanctions. Perhaps the administration felt that this was necessary to convince Saddam Hussein that it meant business, but the consequence has been to make the administration the prisoner of its own rhetoric, with American options and timetable thereby severely constricted.

The cumulative result has been to move the United States significantly beyond the

initial policy of punitive containment with the result that the conflict of the international community with Iraq has become over-Americanized, over-personalized, and over-emotionalized. The enormous deployment of American forces, coupled with talk of "no compromise" means that the United States is now pointed towards a war with Iraq that will be largely an American war fought predominantly by Americans, in which—on our side—mostly Americans will die, and for interests that are neither equally vital nor urgent to America, and which in any case can be and should be effectively pursued by other less dramatic and less bloody means.

Finally, on the issue of sanctions or war former Secretary of State Vance only last week, testifying before the Senate Foreign Relations Committee, stated:

We will make a grave mistake if we fail to resist the temptation to initiate offensive action at this time. Sanctions are working and the blockade and embargo are biting. This policy must be given a chance to prove itself and not be cut short by offensive action initiated by the United States. If we act precipitously, we will find ourselves virtually alone in a bitter and bloody war that will not be won quickly or without heavy casualties, most of whom will be American soldiers, sailors, and airmen. Moreover, even if we should launch a "winning war" under the banner of the UN resolutions, the aftermath of the conflict would likely confront the United States with rampant Arab nationalism, corrosive anti-Americanism and widespread instability and turmoil throughout the Middle East. Having "won" the war, we might well find ourselves and our partners worse off than we were before we began.

He goes on to say:

It is much too early, I submit, to conclude that the current sanctions strategy will not work. I agree with Admiral Crowe and others who have testified before this Committee that we must give sanctions a real chance, even if it takes a year or more, and I urge patience and perseverance in pursuing this prudent and wise course of action.

Mr. President, I ask unanimous consent that the statements of former Secretary of State Cyrus Vance, National Security Adviser Brzezinski, and Admiral Crowe be printed in full at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SARBANES. Mr. President, I have quoted from the statements of a former Secretary of Defense, former National Security Adviser, former Secretary of State, and former chairman of the Joint Chiefs of Staff. All individuals of recognized substance—indeed distinguished public servants. Appointed by and serving in the administrations of both Democratic and Republican Presidents.

As I stated earlier in my remarks, former National Security Adviser Brzezinski pointed out that this was the first case that he could think of in modern times in which we may be embarking on a major military adventure in which extremely senior people, former high policymakers and office-

holders are telling the President "don't do it."

Admiral Crowe said:

I am aware, of course, that many are concerned about the task of holding the domestic and international consensus together. While there will be grumbling, I believe the bulk of the American people are willing to put up with a lot to avoid casualties a long way from home. Similarly, I cannot understand why some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution. Actually, I sense more nervousness among our allies about our impetuosity than about our patience.

In closing, I would make a few observations that perhaps we should keep in mind as we approach this process:

Using economic pressure may prove protracted; but if it could avoid hostilities or casualties those are also highly desirable ends. As a matter of fact, they are also national interests.

It is curious that, just as our patience in Western Europe has paid off and furnished us the most graphic example in our history of how staunchness is sometimes the better course in dealing with thorny international problems, armchair strategists are counseling a near-term attack on Iraq. It is worth remembering that in the '50s and '60s, similar individuals were advising an attack on the USSR—wouldn't that have been great?

Time often has a way of achieving unexpected results. Already there are reports that the Palestinians in Kuwait, having witnessed Saddam's cruelty, are turning away from him and that others in Jordan are also having second thoughts. I am reminded how time changed the Panamanian population's view of Noriega. Autocrats often have a talent for alienating even friends and supporters.

Mr. Chairman, it may be that Saddam Hussein's ego is so engaged that he will not bend to an embargo or other peaceful deterrents such as containment. But I believe we should thoroughly satisfy ourselves that that is in fact the case and that hostilities would best serve our interests before resorting to unilateral offensive action against Iraq. It would be a sad commentary if Saddam Hussein, a two-bit tyrant who sits on 17 million people and possesses a GNP of \$40 billion, proved to be more patient than the United States, the world's most affluent and powerful nation.

That is from the former chairman of the Joint Chiefs of Staff.

Mr. President, I submit that what is needed at this juncture in our Nation's history are the qualities of a long-distance runner. We have to show perseverance, determination, stamina. As Secretary Schlesinger noted, at the outset, no one predicted a short timeframe for sanctions to work. What has now happened is we are on a course for war which will preclude ever being able to find out whether in fact sanctions will ultimately achieve the departure of Saddam Hussein from Kuwait.

There is no doubt that sanctions are achieving a tremendous economic penalty on Saddam Hussein, as I have detailed. He is being punished and punished very, very severely. What is now before us is a judgment as to whether the Nation ought to continue to follow



a sanctions policy or authorize going to war after January 15.

The Secretary of State has characterized his visit for talks in Europe as the last best chance for peaceful solution, as going the last mile. I beg to differ. Going the last mile, the last best chance for a peaceful solution, is to sustain the sanctions policy for a period of time sufficiently long to give it a chance to work. No expert who testified thought it could work within 4 months. I have read this very powerful testimony from the former chairman of the Joint Chiefs, Secretary of Defense, Secretary of State and National Security Adviser, about the timeframe necessary in order to give sanctions an opportunity to work.

We have talked about the risks of war, the direct costs associated with a military effort, and the costs of what happens afterward. What is the aftermath of a war? What is that scenario? Are we to occupy Iraq? How long will we have to maintain a presence in order to attempt to bring order out of chaos?

Mr. President, each Member of this body, if the United States goes to war, is going to have to ask themselves what they will be able to say to the family of a man or woman killed in that conflict. I do not believe that any of us will be able to say that the United States exhausted every possibility for a peaceful resolution because it is very clear that we have not given the sanctions option sufficient time to work. Each member will have to ask himself the question of how he or she explains the death of a soldier to the family. That question has had a major impact on my own thinking in terms of what rationale does one give for a loss of life? Unless every peaceful avenue has been fully explored, unless war has clearly been a last resort I do not believe that question can be answered.

Mr. President, we are told that this is the first major test of the post-cold war world order. If that is the case, it is a very strong reason for sanctions to succeed. We want to set a precedent that can be used again and again in the future, if there is an aggression.

The precedent ought not to be that you have to marshal 400,000 troops in a region and go to war because I do not think that is going to be an acceptable precedent to address other instances of aggression.

We are told that we have to support the U.N. resolution. But I point out to my colleagues that only two other countries of the Security Council that voted the resolution to authorize the use of force after January 15, have troops in the area, and their numbers are but a small percentage of our own. In many respects, the members are simply holding our coats while we go and fight.

Mr. President, I submit this is the time for patience.

Mr. President, in an article a few days ago in the Wall Street Journal, Arthur Schlesinger talked about the rush toward war and said, "There is a phrase of President Eisenhower's that comes to mind: 'The courage of patience, the courage of patience.'"

Mr. President, I ask unanimous consent to print in the RECORD at the end of my remarks an article by Arthur Schlesinger in the Wall Street Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 7, 1991]

#### WHITE SLAVES IN THE PERSIAN GULF

(By Arthur Schlesinger, Jr.)

President Bush's gamble in the Gulf may yet pay off. Let us pray that it does—that the combination of international economic sanctions, political pressure and military build-up will force Saddam Hussein to repent and retreat. Let us pray that the tough talk from Washington is designed primarily as psychological warfare—and that it will work.

But tough talk creates its own momentum and may seize control of policy. If the gamble fails, the President will be hard put to avoid war. Is this a war Americans really want to fight? Sen. Robert Dole (R., Kan.) said the other day that Americans are not yet committed to this war, and he is surely right. And is it a war Americans are wrong in not wanting to fight?

Among our stated objectives are the defense of Saudi Arabia, the liberation of Kuwait and restoration of the royal family, and the establishment, in the President's phrase, of a "stable and secure Gulf." Presumably these generous-hearted goals should win the cooperation, respect and gratitude of the locals. Indications are, to the contrary, that our involvement is increasing Arab contempt for the U.S.

#### WHITE SLAVES

In this newspaper a few days ago Geraldine Brooks and Tony Horwitz described the reluctance of the Arabs to fight in their own defense. The Gulf states have a population almost as large as Iraq's but no serious armies and limited inclination to raise them. Why should they? The Journal quotes a senior Gulf official: "You think I want to send my teen-aged son to die for Kuwait?" He chuckles and adds, "We have our white slaves from America to do that."

At the recent meeting of the Gulf Cooperation Council, the Arab states congratulated themselves on their verbal condemnation of Iraqi aggression but spoke not one word of thanks to the American troops who had crossed half the world to fight for them. A Yemeni diplomat explained this curious omission to Judith Miller of the New York Times: "A lot of the Gulf rulers simply do not feel that they have to thank the people they've hired to do their fighting for them."

James LeMoine reported in the New York Times last October in a dispatch from Saudi Arabia, "There is no mass mobilization for war in the markets and streets. The scenes of cheerful American families saying goodbye to their sons and daughters are being repeated in few Saudi homes." Mr. LeMoine continued, "Some Saudis' attitude toward the American troops verges on treating them as a sort of contracted superpower enforcer. . . ." He quoted a Saudi teacher, "The American soldiers are a new kind of foreign worker here. We have Pakistanis driving taxis and now we have Americans defending us."

I know that the object of foreign policy is not to win gratitude. It is to produce real effects in the real world. It is conceivable that we should simply swallow the Arab insults and soldier on as their "white slaves" because vital interests of our own are involved. But, as Mr. Dole implied, the case that U.S. vital interests are at stake has simply not been made to the satisfaction of Congress and the American people.

Of course we have interests in the Gulf. But it is essential to distinguish between peripheral interests and vital interest. Vital interests exist when our national security is truly at risk. Vital interests are those you kill and die for. I write as one who has no problem about the use of force to defend our vital interests and who had no doubt that vital interests were involved in preventing the domination of Europe by Hitler and later by Stalin.

In defining our vital interests in the Gulf, the administration's trumpet gives an awfully uncertain sound. It has offered a rolling series of peripheral justifications—oil, jobs, regional stability, the menace of a nuclear Iraq, the creation of a new world order. These pretexts for war grow increasingly thin.

If oil is the issue, nothing will more certainly increase oil prices than war, with long-term interruption of supply and widespread destruction of oil fields. Every whisper of peace has brought oil prices down. And the idea of spending American lives in order to save American jobs is despicable—quite unworthy of our intelligent secretary of state.

As of the stabilization of the Middle East, this is a goal that has never been attained for long in history. Stability is not a likely prospect for a region characterized from time immemorial by artificial frontiers, tribal antagonism, religious fanaticisms and desperate inequalities. I doubt that the U.S. has the capacity or the desire to replace the Ottoman Empire, and our efforts thus far have won us not the respect of the Arab rulers but their contempt.

What about nuclear weapons? The preventive-war argument is no more valid against Iraq than it was when nuts proposed it against the Soviet Union during the Cold War. In any case, Secretary of State Baker has in effect offered a no-invasion pledge if Iraq withdraws from Kuwait—a pledge that would leave Saddam Hussein in power and his nuclear facilities intact.

As for the new world order, the United Nations will be far stronger if it succeeds through resolute application of economic sanctions than if it only provides a multilateral facade for a unilateral U.S. war. Nor would we strengthen the U.N. by wreaking mass destruction that will appall the world and discredit collective security for years to come.

No one likes the loathsome Saddam Hussein. Other countries would rejoice in his overthrow—and are fully prepared to fight to the last American to bring it about. But, since the threat he poses to the U.S. is far less than the threat to the Gulf states, why are we Americans the fall guys, expected to do 90% of the fighting and to take 90% of the casualties? Only Britain, loyal as usual, has made any serious military contribution to the impending war—10,000 more troops than Egypt. If we go to war, let not the posse fade away, as befell the unfortunate marshal in High Noon.

And please, Mr. President, spare us the sight of Dan Quayle telling the troops that this war won't be another Vietnam. How in hell would he know?

No one ever supposed that an economic embargo would bring Iraq to its knees in a short five months. Why not give sanctions time to work? The Central Intelligence Agency already reports shortages in Iraq's military spare parts. If we must fight, why not fight a weaker rather than a stronger Iraq? What is the big rush? There is a phrase of President Eisenhower's that comes to mind: "the courage of patience."

I also recall words of President Kennedy that seem relevant during these dark days: "Don't push your opponent against a locked door." What is so terribly wrong with a negotiated settlement? Iraq must absolutely withdraw from Kuwait, but the grievances that explain, though not excuse, the invasion might well be adjudicated. As for the nuclear threat, that can be taken care of by a combination of arms embargo, international inspection throughout the Middle East and great-power deterrence. Such measures would do far more than war to strengthen collective security and build a new world order.

One has the abiding fear that the administration has not thought out the consequences of war. Fighting Iraq will not be like fighting Grenada or Panama. The war will most likely be bloody and protracted. Victory might well entangle us in Middle Eastern chaos for years—all for interests that, so far as the U.S. is concerned, are at best peripheral.

Dr. Brzezinski wrote an article—and I ask unanimous consent for it to be printed in the RECORD—entitled "Patience in the Persian Gulf, Not War."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 7, 1990]

PATIENCE IN THE PERSIAN GULF, NOT WAR

(By Zbigniew Brzezinski)

WASHINGTON.—The crisis in the Persian Gulf is the first crisis of the post-cold war era. Thus, fortunately, it does not pose the danger of a U.S.-Soviet confrontation. Nonetheless, if mishandled, the crisis could prompt devastating consequences for the world economy, perhaps result in massive Arab and American bloodshed, and almost inevitably generate major regional instability throughout the Middle East.

It is thus a crisis that is too serious to be resolved by decision in one capital alone and too dangerous to be addressed on the basis of hysteria. It calls for thorough strategic consultations among the countries concerned—including, beyond the democratic West, the leaders of moderate Arab countries outraged by Saddam Hussein's aggression—regarding the issues involved, the policies to be pursued and the costs to be assumed.

As its point of departure, a collective strategic response to the Iraqi challenge must be based on shared perspectives regarding three central concerns:

It must provide for stable access by the West to reasonably priced oil, which in practical terms means assuring the security of Saudi Arabia and the Emirates from any further Iraqi pressures or aggression;

It must protect the sanctity of the international order against unilateral use of force, which in practical terms means a satisfactory resolution of the status of Kuwait;

It must take into account Iraq's significant military arsenal as a longer-term regional security concern. (Additionally, and depending on whether the crisis is resolved peacefully or militarily, the future of Sad-

dam Hussein's personal leadership may have to be addressed by the international community.)

All three of these issues involve objectives that are desirable, even though not all of these goals are equally urgent or vital. But there is consensus not only in the West but also among the moderate Arabs regarding the imperative need to deter any Iraqi move against Saudi Arabia.

This objective is so vital to the well-being of the world economy that the United States, rightly and courageously, was prepared to fight even alone. That is why it immediately deployed such large forces to the region. There is little doubt that other states, both Arab and non-Arab, would also join in a common effort if the Iraqi Army were to strike further south.

The consensus is less strong, and strategic options become more divergent, regarding the other two issues. Subtle differences emerge once the surface is scratched as to what precisely should be the international coalition's objectives and how should they be pursued.

#### WHAT IS TO BE DONE?

Broadly speaking, two strategies are emerging. The first favors sustained international pressure on Iraq through the embargo to compel its withdrawal from Kuwait. The alternative—which some favor if peaceful means fail, and some prefer as the more effective solution—involves the use of military power, thereby dealing not only with the issue of Kuwait but also with the challenge posed by the Iraqi military machine. Given the enormous stakes, it is important to assess these alternatives carefully, for their costs and prospects of success differ significantly.

The peaceful coalition strategy will require time to prove itself. It may take months to convince Saddam Hussein that the coalition's unity will survive and that any leakage in the embargo will be insufficient to prevent a massive deterioration in Iraq's economy and social well-being. This will impose major demands on the democratic publics in the West to support the necessary sacrifices and on their leaders, especially in America, to rebut hysterical calls for military action. The approaching congressional elections in the United States may tempt some to advocate military action in the expectation that the initial surge of patriotic feeling will work to the advantage of the party in power.

A prolonged embargo will also require major economic cooperation among the members of the coalition. Especially important will be the contributions of Japan and Germany, both exceedingly rich countries yet countries that have made a small contribution compared with America's.

There is thus the risk that, in the pursuit of the peaceful and patient strategy, allied unity may come to be strained by increasingly sharp disagreements regarding the distribution of the burdens involved. These disagreements could become especially acrimonious as the recession—in part stimulated by the higher energy costs and other expenses generated by crisis—deepens in the United States.

#### THE RISK OF WAITING

The peaceful strategy, in any case, may also be derailed by developments beyond America's and the international coalition's control. One cannot, for example, preclude attempts at deliberate provocations, designed to inflame American public opinion and to precipitate a military collision between America and Iraq.

Given the bitter personal enmity between the Syrian and Iraqi leaders, or in view of reports of Israeli fears that America may opt for a peaceful outcome to the crisis not to mention Iranian fundamentalist passions, it is also quite possible that outside parties may set in motion events that derail the peaceful strategy. Last but not least, there is the possibility that Saddam Hussein, fearful of being strangled by the international embargo will himself initiate hostilities.

Finally, it must be admitted that the peaceful strategy cannot in any case resolve the third issue, that of Iraq's military power; at best it can probably yield only a partial success on the status of Kuwait, a success certainly short of "unconditional surrender" by Iraq. More likely, the eventual success of the peaceful strategy will require, at some point, quiet behind-the-scenes negotiations regarding the issues that precipitated the Iraqi aggression.

In other words, once a sustained embargo had succeeded in convincing Saddam Hussein that he must concede, some confidential discussions, either through Arab intermediaries or perhaps through Soviet ones (and Mikhail Gorbachev deliberately positioned himself in the Helsinki talks with President Bush to be an eventual mediator) would ensue. They would address the adjudication—following an Iraqi withdrawal from Kuwait—of the Iraqi financial and territorial claims (not all of which were unfounded), which will have to take place.

If much of the international community were willing to accept such an outcome, it would be difficult for the United States alone to oppose it. Moreover, it is likely that by then the peaceful strategy would have imposed substantial financial costs on all parties even though it would have spared everyone from potentially massive bloodshed. Thus there is bound to be some international predisposition to settle, even if the outcome were to be not quite as unconditional as currently some desire. However, any such outcome would still leave major issues pertaining to regional security and Iraqi military power unresolved.

This is why some argue that the peaceful strategy cannot work and that the crisis must be resolved by force of arms. The peaceful strategy—the critics point out—would resolve satisfactorily the first issue only, the second perhaps partially (and, at best, only after a very prolonged effort), and the third not at all. In contrast, the military strategy would deal with both the second and the third at the same time, while perhaps also enhancing Saudi security for the longer term.

Accordingly, proponents of the military strategy argue that force should be used once the necessary preparations have been completed. Given the pace of the American troops and weapons deployments, that could be as soon as late October (thus before the American Congressional elections) but in any case no later than late winter. The reason for the latter deadline is that the onset of the fierce sandstorms that follow the winter season would adversely affect the technological performance of weapons and impose additional difficulties on the American and other forces not accustomed to desert warfare.

The military option would have to deal simultaneously with the goal of liberating Kuwait and of destroying Iraqi military power for the simple reason that it is not possible to do the first without the second. A conventional ground attack on Kuwait would be prohibitively costly in casualties and per-



haps even impossible to execute without a deployment of forces vastly larger than even the currently projected deployment of some 200,000 American troops.

Military action will therefore require an all-out air assault on Iraq's political and military command centers, key military concentrations and principal industrial-military targets, in addition to some unavoidable ground fighting. Particularly intensive efforts will have to be made to destroy, preemptively, and Iraqi capacity to retaliate through missile strikes with chemical warheads.

A particular complication pertaining to the air assault is that its effectiveness would be greatest if it came as a sudden bolt out of the blue. But that could only be the case if it was undertaken solely on the American initiative, since only American airpower would be capable of undertaking this task effectively and alone.

The decision to initiate hostilities through a decapitating air attack would thus have to be made solely by Washington, without any genuine consultations with the other powers that are participating in the anti-Iraq coalition, especially Arab ones. That could breed political resentments and even pose the danger that America would eventually find itself increasingly isolated in the world arena.

There is also a domestic American complication to be noted here. An American bolt-out-of-the-blue attack would not only strain allied relations. If the resulting hostilities were to become costly and prolonged, the U.S. Congress might be outraged that its constitutional prerogative of declaring of war was not respected. Yet a declaration of war would be incompatible with any surprise attack.

In any case, the military operations, to be effective, will have to combine major air and ground initiatives, the former to paralyze Iraq's capacity to respond and the latter to drive the Iraqis out of Kuwait. The effort will thus have to be massive in scale. It will probably involve the infliction of thousands, and maybe even tens of thousands, of deaths on the Iraqi civilian population.

And it will involve inevitably heavy fighting against an Iraqi Army that is battle-tested and experienced in defensive fighting. Since it is almost certain that the brunt of the military effort would have to be undertaken by American forces, one must expect therefore also thousands of deaths among American servicemen.

One should not entertain in this connection any illusions that air attacks by themselves will force the Iraqis to capitulate. Total and prolonged U.S. control over the air did not terminate promptly the Korean and Vietnam Wars, nor did it force either Germany or Italy to capitulate. Moreover, it is not possible to predict precisely what course the combat will take and how long it will last. Iraq is not a Panama. The fighting could prove to be heavy and prolonged.

Moreover, even massive air attacks may be unlikely to deprive Saddam Hussein of some capacity to react. One cannot exclude the possibility of sporadic Iraqi gas attacks on Israeli cities and perhaps even a deliberate invasion of Jordan, in an effort to widen the war by drawing in the Israelis. That then could have the effect of transforming the war, in Arab perceptions, into a struggle against an American-Israeli coalition.

Not only the military but also the geopolitical dynamics are unpredictable. At some point the war could also expand in other directions. Syria, Iran and even Turkey (following perhaps a Kurdish uprising

within northern Iraq) might all be tempted to pursue their own territorial interests. Iraq might be partitioned; Jordan might be the victim of an Iraqi or Israeli military initiative; and the entire region subsequently Lebanonized.

The conflict would thus become regionally destabilizing, on a scale that is difficult precisely to define but that could become also impossible to contain. Moreover, if Arab emotions were to become aroused by military action against Iraq that is seen as largely American in origin, the ensuing radicalization of the Arab masses could eventually even produce upheavals in those more moderate Arab states that the United States is currently seeking to protect.

#### THE COST OF WAR

All of that could produce potentially devastating economic consequences. One would have to anticipate the serious possibility of at least a temporary cutoff in much of the flow of oil from the Persian Gulf. Military action would probably result in the destruction of most of Kuwait's and Iraq's oil facilities, while sabotage could also affect the installations in other gulf states. The price of oil could easily climb to \$65 per barrel or even more.

The financial costs of the war by themselves would also be extraordinarily high. It has been estimated that for the United States the costs of large-scale combat could amount to about \$1 billion per day. An economic and financial world crisis might thus prove difficult to avoid.

It is hard to predict whether the American public, after the likely initial surge in patriotic emotions, would long support such an operation. Parents and others would almost certainly begin to ask whether American lives should be sacrificed for the sake of the wealthy rulers of Kuwait. Arguments about the sanctity of the international order might cease to have much appeal once American fatalities begin to rise into the thousands. There is also the risk that at some point the public might blame Israel for allegedly having pressed America to go to war against Iraq for the sake of Israeli interests.

The military strategy thus suffers from fundamental liabilities. Its costs could prove to be prohibitive, its success is not easy to define in terms of the time involved and the scope of the required effort, and its dynamic consequences, could have a regionally destructive ripple effect.

On balance, therefore, the better part of wisdom is for the existing international coalition to pursue the strategy of sustained pressure, and to apply that pressure under the protection of credible military power that deters any Iraqi military countermove. To put it simply, a policy not of preventive war but of punitive deterrence is the most sensible.

That strategy must be given time to prove effective, and it must be openly conceded that its success may not be compatible with the notion of an Iraqi unconditional surrender regarding Kuwait. More specifically, one should not rule out a prior the acceptability of some arrangement that combines an Iraqi withdrawal with the eventual adjudication of the financial and territorial issues that precipitated the unacceptable act of Iraqi aggression. Nor should quiet mediation by some third parties, either by the Arabs themselves or by the Europeans (such as President Mitterrand), or even perhaps by the Soviets, be discouraged.

As noted, a nonviolent resolution of the Kuwait issue will not resolve the region's security problem. In any case, for some time to

come, to insure longer-range regional security, some separate American-Saudi military arrangements will be required.

These might include some provision for the continuing presence of an American security tripwire in Saudi Arabia, designed to insure against any future Iraqi aggression. American naval and air offshore power will probably also have to be enhanced on a continuing basis. At a later stage, it might then prove possible to convene an international conference that deals with the wider issue of regional security. In that setting, the destabilizing and unacceptably ambitious Iraqi military programs could be subjected to some agreed limitations.

In the context of any eventual regional accommodation regarding security, it will probably also be necessary for Israel to finally accept the nonproliferation treaty and to place its own nuclear weapons program under some similar restraints.

Obviously, the resolution of these tangled and complex issues will require prolonged negotiations. For these negotiations to succeed, some progress toward peace on the Israeli-Palestinian conflict may also be needed, given the obvious connection between Israeli and Iraqi military buildups and the persisting possibility of renewed Israeli-Arab hostilities. But all of that represents an agenda for the more distant future. The wider issue of regional security and the Israeli-Arab conflict cannot be and should not be linked directly to the current, more immediate crisis.

To be sure, there are those who argue that Saddam Hussein's military potential must now be pre-emptively destroyed before he acquires nuclear weapons. But the advocates of preventive war, for some of whom the Iraqi occupation of Kuwait is a convenient excuse, have yet to make a compelling case in terms of the American national interest for such a reckless undertaking.

America has lived for 40 years under the shadow of Soviet nuclear weapons, and Stalin or Khrushchev had no compunctions about killing those weaker than themselves. But deterrence worked, and America surely has the power to deter Iraq as well. And so does Israel, which has already acquired nuclear weapons.

The bottom line is this: there is no easy solution to the crisis. The peaceful strategy of sustained pressure suffers from obvious limitations and has its costs. Moreover, it will not resolve fully all of the central problems generated by the Iraqi aggression. But it imposes enormous punitive pains on Iraq, at a cost and a risk to America that is incomparably lower than the costs and risks of preventive war.

Hence patience and prudence are to be preferred over the leap into the abyss of warfare. The basic fact is that the overall situation in the region is so unstable that no military solution can be confidently postulated as assuring the productive termination of the ongoing crisis at a cost that is predictable and reasonable. Destroying Iraq but possibly blowing up the Middle East can hardly be advocated as a rational calculus.

Given the stakes, it is particularly urgent that the leaders of the advanced democracies—with America having already successfully assured the deterrence of further Iraqi aggression—sit down together, carefully analyze their options and recommit themselves to a sustained strategy of punitive deterrence—without dangerous illusions about military solutions.

Mr. SARBANES. Mr. President, I ask unanimous consent that an article

from the Washington Post, "The Big Squeeze: Why the Sanctions on Iraq Will Work. A Look at This Century's Embargoes Suggests How Effective They Can Be" also be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 9, 1990]

THE BIG SQUEEZE: WHY THE SANCTIONS ON IRAQ WILL WORK

(By Kimberly Elliott, Gary Hufbauer and Jeffrey Schott)

Fifty-five years ago, when Mussolini's troops overran Ethiopia, half-hearted sanctions by the League of Nations failed to force Italy to withdraw. Haile Selassie's futile pleas for help have haunted the world ever since.

This week, President Bush and key members of his administration including the secretaries of state and defense declared that the United Nations' far stronger sanctions against Iraq cannot be relied on to force a withdrawal from Kuwait. Only military power, they warned, is certain to get Saddam Hussein's armies out.

But sanctions can work—and under circumstances far less favorable than those present in the confrontation with Iraq. In fact, a review of 115 cases since 1914 shows that success was achieved 40 times when economic sanctions were threatened or imposed against individual countries. Moreover, the current U.N. sanctions are by far the strongest and most complete ever imposed against any country by other nations. These comparisons strongly suggest that, given time, the U.N. economic boycott can achieve by peaceful means what Bush and his advisers say can only be won by force.

A comparison with the famous case of Ethiopia, one of the 115 we have reviewed in detail, reveals important differences which apply in the current case. The embargo of Iraq is completely different from the League's half-hearted attempt to save Ethiopia (which was made even weaker when the United States, a non-League member, refused to join). The current boycott covers virtually 100 percent of Iraq's trade. This is three to four times greater coverage than the average in all previous successful sanctions cases. Beyond that, Iraq, geographically isolated and dependent on oil for 90 percent of its export revenue, is far more vulnerable to economic coercion than target nations in other sanctions actions.

Because of all these factors, it is likely that if the embargo persists, Iraqi output will shrink by about half from its 1988 total of \$45 billion. This is a decline of gross national product (GNP) 20 times greater than the average impact in other successful sanction episodes. Meanwhile, the economic costs to the sanctioning countries of suspended trade with Iraq are being addressed in unusual ways and substantially mitigated. These efforts give the current sanctions a cohesion and possible longevity never seen outside the setting of global conflicts.

In addition, the administration's toughening military posture can have a welcome side effect: Such bellicosity could actually work to strengthen the resolve of the sanctioning nations to stick to their embargo as the only alternative to armed conflict.

Economic sanctions have been used in this century in pursuit of a wide variety of goals. They range from the relatively modest, such as Britain's 1933 sanctions against the Soviet

Union to gain the release of some British citizens accused of spying, to the difficult, such as the U.S. sanctions against Poland from 1981 to 1987 to force the communist regime to lift martial law and loosen political restraints.

In judging whether the imposition of sanctions was a "success," we looked for evidence of two things: that the boycotters had substantially met their goals; and that sanctions had contributed at least modestly to the outcome. Successful actions include, for example, the trade embargoes and financial sanctions to weaken the enemy's fighting capability used by the Allies in World Wars I and II and by Great Britain and its allies during the Falklands conflict in 1982. On two occasions in the 1920s, the mere threat of sanctions by the League of Nations was sufficient to settle border conflicts: Yugoslavia withdrew troops from disputed territory in Albania; Greece renounced territorial claims in Bulgaria. In the postwar era, the protracted U.N. embargo of Rhodesia, much less stringently enforced than the sanctions against Iraq, helped bring about the demise of the breakaway regime of Ian Smith.

Such examples argue strongly for the likely success of the sanctions against Iraq. Secretary of Defense Richard B. Cheney himself said the embargo "clearly" has been effective "in closing off the flow of spare parts and military supplies," and the chairman of the Joint Chiefs of Staff, Gen. Colin Powell, conceded that sanctions would have "a debilitating effect" on Iraq's military capability. On Thursday, CIA Director William H. Webster told the House Armed Services Committee that by next spring, "probably only energy-related and some military industries will be fully functioning."

The sanctions against Iraq are unique in the history of such economic weapons in the 20th century. Though there is inevitably some leakage, the embargo affects virtually all of Iraq's trade and financial relations. Historically, when the sanctioning country or group accounted for 50 percent or more of the target's trade, the sanctioners had a 50 percent chance of achieving their goals. In the average successful sanctions case, the boycotters accounted for 28 percent of the target's trade, far below the Iraq situation.

In addition, this embargo is backed by a multinational naval blockade and a ban on air cargo to Iraq. Except for what we consider minor smuggling through Turkey, Iran and Jordan, Iraq has been effectively isolated from the global economy. Smuggling will ebb as Saddam runs out of money, which Webster predicted would be next spring or summer.

The average cost to the target nation's economy in successful sanctions cases was 2.4 percent of GNP, about the level of lost U.S. output in the 1982 recession, (the most severe since the Depression), and one-twentieth of the impact of Iraq. The cost to the target reached double digits only three other times: Nigeria vs. Biafra, 1967-70; U.S. and Britain vs. Iran, 1951-53; and the U.N. and Britain vs. Rhodesia, 1965-79. In all these cases, sanctions contributed to a positive outcome. Of eight sanctions episodes where the cost to the target was 5 percent of GNP or more, six resulted in at least partial success for the sanctioners.

Prior to this summer, only Ian Smith's unilateral declaration of independence in Rhodesia in 1965 had provoked mandatory, comprehensive U.N. sanctions. However, those sanctions were imposed incrementally over two years and were not universally enforced despite being mandatory. Unlike the

Iraq case, the U.N. refused to impose secondary sanctions against countries violating the Rhodesian embargo.

The sanctions against Iraq were imposed so swiftly, decisively, and comprehensively that together with a credible military threat, there is a high probability they can contribute to an Iraqi withdrawal and the restoration of an independent government in Kuwait. However, our study of sanctions cases indicated that the more difficult the goals, the less effective the sanctions.

Besides the goals outlined in the U.N. resolutions, Bush and other leaders have talked of reducing Iraq's military capability, including the destruction of its recent nuclear weapons capability. While sanctions can weaken Saddam's fighting capability because of food, fuel and spare parts shortages and resupply problems, they cannot destroy his arms industry.

There also have been suggestions that the sanctions should be aimed at destabilizing Saddam. The United States has taken this route before—no less than 10 times since World War II. In fact, the United States far exceeds all other countries in threatening or using sanctions—81 attempts since 1917, of which more than 70 came after World War II. U.S. goals have varied widely—from curbing or destabilizing governments perceived to be drifting from the "Western" capitalist sphere, to forcing Britain and France in 1956 to withdraw their troops from the Suez Canal after Egypt's Gamal Nasser nationalized it. In the 1970s, the United States increased its use of sanctions, not as successfully, to improve the observance of human rights and to inhibit the spread of nuclear weapons. In the 1980s, terrorism and drug-smuggling have been major targets of U.S. sanctions.

In the 10 cases of U.S. sanctions aimed at dictators, they contributed at least modestly to the downfalls of Rafael Trujillo in the Dominican Republic in the 1960s and Idi Amin in Uganda and Anastasio Somoza in Nicaragua in the 1970s. Sanctions also exacerbated the economic chaos in Nicaragua, which contributed to the electoral defeat of Daniel Ortega earlier this year.

In cases in which the goals were ambitious, sanctions took an average of nearly two years to achieve a successful outcome. This raises the question of their sustainability. Here again, the Iraq case is unique. To counter possible erosion of the boycott because the participants find the costs to their own economies too high, the United States and its allies have taken extraordinary steps, including asking Saudi Arabia and other oil exporters to boost oil production to offset lost Iraqi and Kuwaiti production. The United States also led in organizing an "economic action plan" to redirect short-term windfall profits gained by the oil producers to help developing countries. Washington also has encouraged Japan, Germany and others to provide grants and low-cost loans to developing countries hurt by higher oil prices, lost trade and related problems.

Maintaining a cohesive alliance long enough to make the sanctions work will require continued cost-reducing measures, such as getting the Gulf oil producers to raise oil production so that prices come down and stabilize around the July OPEC target price of \$21 per barrel. The United States, Germany and Japan also should be prepared to release oil from their strategic petroleum reserves to prevent price rises when winter brings increased energy consumption. The \$21 billion committed to the economic action plan also should be swiftly



distributed to offset costs to the front-line coalition states and further supplemented by additional grants for as long as needed to permit the sanctions to work. The IMF and World Bank should also increase concessional loans to developing countries thrown off balance by the sudden increase in oil prices.

However, even the tightest sanctions take time to work. Evidence from previous cases suggests that it would be unfair to claim the embargo of Iraq has failed until at least a year has passed. Though there are costs to waiting, some of them can be ameliorated, as with the president's economic action plan. If after a year or two the sanctions are judged to be inadequate, the military option will still be there and Saddam's forces will be weakened by lack of supplies. The key question is whether the price of patience would be higher than the economic and human costs of going to war soon.

Mr. SARBANES. Mr. President, this is the time to show the courage to stay the course. It, in fact, takes more courage in many instances to persevere, to be determined, to show, as President Eisenhower said, the courage of patience to achieve your objectives than it does to indulge your frustrations; to launch a military action with all the costs involved both directly in lives and treasure and all the costs involved afterwards in terms of the post-war scenario.

The resolution brought forward by the distinguished Senator from Maine [Mr. MITCHELL], the majority leader, is a sober, sane, and responsible resolution. It offers a course of action to deal with aggression, to deny aggression any rewards.

The question is not between countenancing or tolerating Saddam Hussein's aggression on the one hand and going to war on the other. There is another alternative, and the other alternative is to sustain and maintain these sanctions, to squeeze him and squeeze him and squeeze him, to make him and Iraq pay a very high price for what they have done.

We have not stayed on that course a sufficiently long time, in my judgment, to enable any Member of the Senate to look a family in the eye that loses a loved one in this conflict that is coming upon us and say to them, "We exhausted every peaceful option in order to achieve our objectives; we tried every peaceful approach, and in the end none of them proved out and in order to ultimately reverse this aggression, it was necessary to resort to the use of force."

We are not at that point, and at the very least we ought not go to war until we are at that point, we cannot, in good conscience and in good faith, say now to any family who loses a member in a military conflict that every avenue to achieve a peaceful resolution was explored. That is why I support the resolution presented to this body by the majority leader, and I urge the support by my colleagues.

## EXHIBIT 1

STATEMENT BY JAMES R. SCHLESINGER BEFORE THE COMMITTEE ON ARMED SERVICES U.S. SENATE, NOVEMBER 27, 1990

Mr. Chairman, Members of the Committee:

I deeply appreciate the invitation to discuss with this Committee the challenge posed to American policy and, potentially, to America's armed forces by the developments in the Gulf. When last I addressed this Committee at the beginning of the year, I examined the implications for American policy, attitudes, deployments, and budgetary allocations implied by the collapse of the Warsaw Pact and the decline of the Soviet threat. In a sense today represents the continuation of that earlier testimony, for what we are to examine beyond the details of the Gulf crisis itself, is how this nation should grapple with the altered conditions in this post-Cold War environment.

Mr. Chairman, if you will permit, I shall deal initially with the shape of the post-Cold War world in which the sharp ideological divisions and the coalitions and alliances polarized to reflect those differences have now been muted. Some, stimulated by the response to the crisis in the Gulf, have expressed the hope that we are now engaged in fashioning a new international order—in which violators of international norms will be regularly constrained or disciplined through the instrument of collective security. Put very briefly, Mr. Chairman, I believe that such aspirations for a Wilsonian utopia are doomed to disappointment. What is emerging is likely to resemble the somewhat disordered conditions before 1938—an era of old-fashioned power politics—marked by national and ethnic rivalries and hatreds, religious tensions, as well as smash and grab, and the pursuit of loot. Such elements clearly mark that catalyzing event, Iraq's seizure of Kuwait, and has marked the behavior of a number of players since August 2nd. To suggest that the international order will miraculously be transformed and that the players on the world scene will be motivated by a dedication to justice and international law strikes me as rather naive.

Mr. Chairman, you and Senator Warner have posed the question: what are America's interests in the Gulf. I shall mention three—and leave it to the Committee to decide whether they are in ascending or descending order of importance.

First, is oil. There is no way of evading this simple reality. Oil provides the energy source that drives the economies of the industrial and underdeveloped worlds. Were the principal exports of the region palm dates, or pearls, or even industrial products, our response to Iraq's transgression would have been far slower and far less massive than has been the case. Nonetheless, this should not be misunderstood. Our concern is not primarily economic—the price of gasoline at the pump. Were we primarily concerned about the price of oil, we would not have sought to impose an embargo that drove it above \$40 a barrel. Instead, our concern is strategic: we cannot allow so large a portion of the world's energy resources to fall under the domination of a single hostile party. Any such party, even Saddam Hussein, would ordinarily be concerned with the stability of the oil market, the better to achieve the long run exploitation of his economic assets. However, concern focuses on the extraordinary periods—during which he might use his domination of these oil resources to exploit the outside world's vulnerabilities for strategic mischief.

Second, the United States has had an intimate relationship with the Kingdom of Saudi Arabia. It reflects a number of shared strategic objectives—as well as Saudi efforts to stabilize the oil market, most dramatically in the period after the fall of the Shah. It is embodied in the Carter Doctrine which pledges military resistance to external assaults on the Kingdom, as well as the Reagan corollary which subsequently pledged resistance to internal subversion. Failure of the United States to honor such commitments would raise question about the seriousness of the United States, not only in the Middle East but elsewhere. It is notable that down through August 2nd Kuwait itself rebuffed attempts of the United States to provide similar protection—though President Bush's remarks since that date have tended to establish a U.S. commitment to the security of Kuwait.

Third, since the close of World War II and, particularly, since the establishment of the State of Israel, the United States has had a generalized commitment to the stability of the Middle East and to the security of Israel. On numerous occasions this generalized commitment has led to U.S. diplomatic or military involvement in the region—not always marked by complete success.

Let me turn now to the alternative strategies available to the United States and its allies. The first, of course, is to allow the weight of the economic sanctions, imposed in August, gradually to wear down the capacity and the will of Iraq to sustain its present position. The embargo, backed up by a naval blockade, is the most successful ever achieved aside from time of war. Early on it was officially estimated that it would require a year for the embargo to work. It now appears to be working more rapidly than anticipated. In three months time civilian production is estimated to have declined by some 40 percent. Oil exports are nil—and export earnings have dropped correspondingly. The hoard of hard currency, necessary to sustain smuggling, is dwindling away. The economic pressure can only grow worse.

While Iraq's military posture does not appear to have been seriously affected as yet, as the months go by that too will be seriously weakened. Lack of spare parts will force Iraq to begin to cannibalize its military equipment. Military industry, as yet significantly unaffected, will follow the downward path of civilian industry. In short, the burden on both Iraq's economy and her military strength will steadily increase.

We know that such burdens must ultimately affect political judgment and political will. In time, the original objectives of the United Nations will be attained. Already Saddam Hussein shows a willingness, if not an eagerness, to compromise. One no longer hears that Kuwait is for all eternity the nineteenth province of Iraq. But for some ultimately may not be soon enough, and for others the original objectives may not be sufficient.

To the extent that those original objectives are augmented by demands that Saddam Hussein stand trial as a war criminal, that Iraq provide compensation for the damage it has done, that Iraq's military capacity must be dismantled or destroyed, or that Saddam Hussein must be removed from power, Saddam's determination to hang on will be strengthened. Some may prefer such a response in that it precludes a settlement and makes recourse to military force more likely. Nonetheless, if one avoids this list of additional demands and is satisfied with the original objectives, the probability that the

economic sanctions will result in a satisfactory outcome is very high. One should note that, since the original estimate was that the sanctions route would require a year, it seems rather illogical to express impatience with them, because they will not have produced the hoped-for results in six months time.

In this connection one should also note the frequently expressed view that Saddam Hussein must not be "rewarded" for his aggression, but instead must be "punished." As an expression of emotion it is understandable, but it must not be allowed to obscure our sense of reality. Saddam Hussein is being punished and punished severely. He has forfeited \$20 billion of foreign exchange earnings a year—indeed \$30 billion at the current oil price. Iraq's credit is totally destroyed, and the remnants of its hard currency reserves dwindling. When Saddam looks across the border at Saudi Arabia or the UAE, they are prospering because of his actions—from which he himself has derived no benefit. He is likely to be consumed by envy. His own economy is rapidly becoming a basket case.

Moreover, the position of preponderance that he had earlier achieved in OPEC is now gone. He is diplomatically isolated. His military position will slowly be degraded. His pawns in Lebanon have been wiped out—by his chief Baathist rival, Assad, who has immensely strengthened his own position. He has been forced to accept an embarrassing peace with Iran, and that nation's position relative to Iraq is slowly being improved. Sympathetic nations like Jordan and Yemen have been harshly treated—and neither they nor he have any recourse. On the benefit side stands only the looting of Kuwait.

In brief, Saddam Hussein staked Iraq's position on a roll of the dice—and lost. Only if he has a deeply masochistic streak can he regard himself as "rewarded." To allow our political rhetoric to obscure the severe punishment that has already been meted out or to suggest that our current policy is in some way unsuccessful and that Saddam's position is now or is potentially enviable strikes me as misconceived.

To be sure, imposition of the sanctions has not been painless. Given the limited spare production capacity for oil and the psychological reaction to the prospect of war, oil prices have shot up. At their peak they had more than doubled. The higher oil price along with the political and economic uncertainties have imposed a heavy burden on most national economies. Many, including our own, had already started or were tipping into recession. For most economies the Gulf crisis has either reinforced or initiated a further contraction.

I do not want to understate the cost. (In the case of the American economy it will amount to \$100-\$200 billion in lost economic growth.) But that price has already been paid. The oil market, reflecting a sizable shrinkage of expected demand, has now been brought into balance. The world is now able to do without Iraqi and Kuwaiti crude. Thus, to sustain the embargo, no further price must be paid. In effect, we can leave Iraq in isolation until it comes to its senses.

That brings us to the second alternatives—the military option.

There is little question that the United States and its allies can inflict a crippling military defeat on Iraq. It can eject Iraq from Kuwait; it can destroy Iraq's military forces and military industries; it can destroy, if it wishes, Iraq's cities. The question is at what cost—and whether it is wise to incur that cost. Whenever a nation accepts

the hazards of war, the precise outcome is not predetermined. Depending upon the military strategy chosen and the tenacity of Iraq's forces, there could be a considerable variation in the outcome. In the event of an all-out assault on entrenched Iraqi positions, the casualties may be expected to run into several tens of thousands. However, if we avoid that all-out assault, make use of our decisive advantages in the air, and exploit the opponent's vulnerabilities by our own mobility, the casualties could be held to a fraction of the prior estimate. In between four and eight weeks, it should all be over—save for starving out or mopping up the remaining Iraqi forces in Kuwait. The question then becomes whether one goes on to occupy Iraq, to destroy the balance of Iraqi forces, and the like. That would be far more difficult and time consuming, but circumstances may make it unavoidable.

I think it prudent to say no more about strategy and tactics in this session. Suffice it to say that the immediate price will not be small. American forces would be obliged to carry a disproportionate burden in any struggle. This will affect the attitudes of our public and the attitudes in the Middle East regarding the United States.

I believe that the direct cost of combat—including that of a probable scorched earth policy in Kuwait—will be the lesser part of the total cost. The Middle East would never be the same. It is a fragile, inflammable, and unpredictable region. The sight of the United States inflicting a devastating defeat on an Arab country from the soil of an Arab neighbor may result in an enmity directed at the United States for an extended period, not only by Iraq and its present supporters, but ultimately among the publics of some of the nations now allied to us. To be sure, there are no certainties, yet that risk must be born in mind. Moreover, the United States will be obliged to involve itself deeply in the reconstruction of the region in the aftermath of a shattering war. In brief, the non-combat costs of a recourse to war, while not calculable in advance, are likely to be substantial.

On November 8 President Bush announced his decision to acquire "an offensive military option" and nearly to double U.S. forces deployed in the Persian Gulf. That announcement altered the strategic, diplomatic, and psychological landscape. The deployment of four additional armored divisions implied that the United States might itself choose to cross that "line in the sand" and forcibly eject Iraq's troops from Kuwait. As the President indicated the earlier deployment in August had been intended "to deter further Iraqi aggression".

One must recognize that to this point Saddam Hussein has remained unmoved by either appeals or international declarations. It is only the prospect that force might be used against him that has brought forth any sign of a willingness to compromise. The principal goal of the Administration in deciding on these deployments may simply be to increase the pressure on Saddam Hussein to withdraw from Kuwait.

Yet, the situation is more complicated. As Mr. Yevgeny Primakov, Mr. Gorbachev's special envoy, has indicated even if Saddam is prepared to withdraw from Kuwait he would require clear evidence that the sanctions would be terminated and that military force would not subsequently be employed against Iraq. In the absence of such commitments his incentive to withdraw is weak.

The new deployment might also point to an intention to resort to the military option.

The deployment will peak in late January or early February—and for technical reasons that deployment would be difficult to sustain. That, no doubt, adds to the pressure on Saddam Hussein, but it also increases the pressure to choose the war option and diminishes the immediate cost of going to war. It should also be pointed out that the time required to complete the additional deployments makes the first option, of relying on the sanctions, less costly. By the time the deployment is completed, military action is initiated, and the fighting ceases at least eight months of what was originally estimated to be the twelve months required for the sanctions to work will have elapsed. Even more of the time and cost involved in making the sanctions work will have thus already been incurred. At that juncture, however, only a modest part of the cost of exercising the military option will have been incurred.

It should also be noted that Mr. Primakov's observations were confined to the original objective of forcing an Iraqi withdrawal from Kuwait and the restoration of the legitimate regime. Of late, to those original objectives, some additional goals have been hinted or stated: the elimination of Iraq's capacity to intimidate her neighbors, the removal of Iraq's military capability, the removal of Saddam Hussein from power, and the ending of Iraq's quest for a nuclear capability. The general effect is to paint Iraq as a rogue or outlaw state—and that its menace to its neighbors and to the international order must be eliminated. To the extent that these additional objectives are embraced, either in appearance or reality, the prospect for a voluntary Iraqi withdrawal from Kuwait is sharply diminished. To achieve these objectives, there is really no alternative but to resort to war. Saddam Hussein's inclination to dig in will be stiffened—and in all likelihood the willingness of Iraqi forces to resist will be strengthened.

Consideration of the military option will be influenced by attitudes within the international coalition that the United States has organized. By and large that coalition has revealed strong ambivalence regarding the military option and a preference for a diplomatic solution—with those least directly involved most dubious about the military option. While the members of that coalition may be prepared to accept military force to drive Iraq out of Kuwait, to this point they have shown little inclination to embrace the sterner objectives of policy that have been stated but never officially presented or embraced.

There is, of course, a third strategic alternative: the possibility of a diplomatic solution. Though it remains an eventual possibility, I shall spend little time on it in this hearing for two reasons. First, the United States is probably precluded from any negotiations with Iraq by the position that it initially announced; we will not have any direct communication with Iraq until it has left Kuwait. For the United States itself to enter into negotiations would represent too much of a diplomatic retreat. To be sure, others have been willing to serve the role of diplomatic intermediaries. Since August the possibility of an "Arab solution" has been raised on several occasions. The Soviets, the French, and others have conducted explorations. But, as the probability of recourse to war rises, the probability of a diplomatic settlement, of necessity shrinks. That brings me to my second reason for limiting discussion of this alternative: if there is to be a



diplomatic solution, it will be several months before the outlines jell. The United States, given its position, will be obliged to appear merely to acquiesce in such an outcome—out of deference to pressures from other elements of the international community.

There is something more, however, to be said about the diplomatic situation. In your letter of inquiry, Mr. Chairman, you and Senator Warner inquired about the durability of allied support for the multinational coalition. In regard to the original demands on Iraq and the use of sanctions, that support has been firmer than we might have anticipated. Saddam's appeal to the "hearts and minds" in the Arab countries seems to have peaked in September. There has been little restlessness elsewhere in the coalition—no doubt, in large degree, due to the fact that the world can do without Iraqi and Kuwaiti crude. Moreover, the status quo includes authorization for the naval blockade, which can therefore be continued indefinitely. It would take a positive act of the United Nations to remove that authorization.

However, that coalition is likely to prove less durable, if combat takes place. Particularly would this be the case if the objectives turn out to be the new and sterner demands of war policy, reflecting the decision that Iraq has become an outlaw state that must be dealt with now. Needless to say, the international coalition has yet to embrace that line of reasoning.

Therefore, Mr. Chairman, I close with observations regarding two inherent difficulties in the emerging situation. First, if the United States conveys the impression that it has moved beyond the original international objectives to the sterner objectives that Saddam Hussein must go, that Iraq's military establishment and the threat to the region must be dismantled or eliminated, etc., then whatever incentive Saddam Hussein may presently have to acquiesce in the international community's present demands and to leave Kuwait will shrink toward zero. This may please those who have decided that the war option is the preferable one, but it makes it increasingly hard to hold together the international coalition, which we initially put together to bless our actions in the Gulf. That brings us to the second observation: the more we rely on the image of Iraq as an outlaw state to justify taking military action, the more we make holding together the international coalition inherently difficult, if not impossible. International approval of our actions is something on which the Administration has set great store. It has provided the desired legitimacy. To abandon it would mean the undermining of any claim to establishing a new international order.

Mr. Chairman, if you will allow me one final word that goes beyond the crisis in the Gulf. That crisis has preoccupied our attention for more than three months and is likely to do so for many months more. It has diverted our attention from subjects that may be of equal or even greater importance. Six months ago all of us were deeply moved by the developments in Eastern Europe and in the Soviet Union—and with the prospect that those nations might move toward democracy and economic reform. Members of this Committee will recall our high hopes at that time. Yet, in the intervening period, with the diverting of our attention to the Gulf, those prospects have been dealt a grievous blow. First was the Soviet decision to force the former satellites to pay hard cur-

rency for their oil. Second, it was followed by the Gulf crisis that has sharply raised the international price of oil. The prospects and hopes for Eastern Europe, while our attention has been diverted, have been seriously damaged. Yet, to return to my original theme, in the shaping of the post-Cold War world it is not clear that the evolution of Eastern Europe and the Soviet Union may not be more important than developments in the Gulf.

#### EXHIBIT 2

STATEMENT BY ADM. WILLIAM J. CROWE, JR.,  
USN (RET), BEFORE THE COMMITTEE ON  
ARMED SERVICES, U.S. SENATE, NOVEMBER  
28, 1990

Mr. Chairman, given U.S. interests in the Persian Gulf and Saddam Hussein's brutal takeover of Kuwait, the subject of U.S. policy in the region is of the utmost importance to all Americans.

Mr. Chairman, I do have some preliminary remarks I would like to make. Due to the press of time these will not deal with all aspects of the subject, but concentrate largely on the impact of the crisis on the Gulf region. I assume, of course, the question period will range over the entire spectrum of considerations.

You would think we would have had a decent interval to celebrate the end of the Cold War and the vindication of our policies and values. But the recent events in the Middle East have demonstrated that the globe is still a dangerous place and that new threats may well replace the U.S.-Soviet contest.

Our difficulties with Iraq certainly suggest the type of challenge the new world may confront.

The most distinguishing feature of our disagreement with Iraq is that the Soviets are not backing Saddam Hussein. For the first time in 40 years we are confronting a major international crisis and not working at cross purposes with the Kremlin. This development has given the President an unprecedented latitude for maneuver and, in turn, severely constrained Baghdad's options. This is the first time a post-war President has had such a luxury.

President Bush has taken full advantage of the new-found maneuvering room. He reacted quickly and, in my opinion, correctly, to constrain Hussein militarily to defend Saudi Arabia and to clamp a tight economic quarantine on Iraq.

Some of the most important early achievements were ones that the President had a large hand in himself, e.g., gaining access to Saudi Arabia for our forces (a previously unheard-of concession), forging a rough political consensus among the leaders of NATO, the USSR and Japan, and encouraging a pan-Arab military effort in support of Saudi Arabia. We are, for the time being, witnessing a remarkable display of collective political and financial support which is unprecedented in the post-war era. President Bush deserves full credit for this achievement.

Militarily, the United States has mounted an impressive deployment—with air, sea and ground forces. No other nation in the world could have in 60 days moved this size force 8,000 miles and put it in the field—not to mention the rather trying climate and topography in which it must operate. On balance the original deployment went extremely well.

As to the economic embargo, it is the first time we have been able to mount truly unified sanctions. No embargoed material is moving into Iraq by sea, and the air blockade is proving relatively effective. Undoubt-

edly there is some leakage—probably on the ground from Jordan and Iran—but I know of no significant breaks in the encirclement.

It is important to recognize what has been achieved thus far:

Some pundits contend that Saddam Hussein's primary goal is to control the bulk of the Middle East oil and to dictate the price of crude to the West. If that is correct, any such design has been frustrated. He has been served clear notice that he will not be allowed to capture the Saudi oil fields either now or in the future. A definite line has been drawn constraining him and his inflated ambitions.

The increased oil income Saddam had in mind has not materialized. In fact, Baghdad has forfeited \$20 billion of foreign exchange earnings a year and as Secretary Schlesinger pointed out, this figure would be \$30 billion at the current oil price. In a country the size of Iraq that is not chopped liver.

Moreover, it has been graphically demonstrated that the West can live rather well without Iraqi and Kuwaiti oil. Granted some special areas of refined products are strapped, but those deficiencies are not having a heavy impact on the industrial nations. Frankly, the price swings we see have been generated as much by psychological factors as by supply and demand. We have been impacted by these oscillations, but fortuitously the bill has already been paid as the market has adjusted. Iraq cannot make that claim.

The embargo is biting heavily. Given the standard of living Iraq is used to and the increasing sophistication of Iraqi society, it is dead wrong to say that Baghdad is not being hurt; it is being damaged severely. That goes for the Iraqi military as well, which depends on outside support. Yesterday Secretary Schlesinger elaborated on these impacts. Iraq's civilian production has declined by 40%, exports earnings have sharply dropped, and economic flexibility is rapidly disappearing. Military industry will likewise be hit. It is the most effective peacetime blockade ever levied.

Granted that the embargo is not working as rapidly as many would prefer; but if we wanted results in two or three months, clearly a quarantine was the wrong way to go about it. Most experts believe that it will work with time. Estimates range in the neighborhood of twelve to eighteen months. In other words, the issue is not whether an embargo will work, but whether we have the patience to let it take effect.

Ultimately these trends will translate into political pressure. I genuinely believe we are already seeing the first signs that Saddam Hussein is seeking a way out—a face-saving way to withdraw.

Moreover, the logistic support that Iraq used to enjoy will never return to the past levels of generosity, if at all. Hussein has excited the resentment, contempt and suspicion of the nations he historically depended upon. In essence, under no circumstances can Iraq return to the world it left on August 2 and when the dust clears we must reinforce that outcome.

In sum, the President's initial moves have already achieved a great deal. The argument that Saddam is winning and being rewarded is both weird and wrong. Obviously this fact is often overlooked by those calling for more direct action.

It is true that the trauma is by no means over. The burning question now confronting the President (as well as the public) is what next? This is no mean question nor is it an easy one. In its most extreme form, we are talking about deliberately initiating offen-

sive military operations—in other words, war. This is always a grave decision and one which deserves both deep thought and wide public discussion.

If Saddam Hussein initiates an attack on Saudi Arabia or U.S. forces, we have no choice but to react vigorously and to use force to bring Iraq to heel. I believe such a response would be defensible and acceptable to all constituencies, domestic and international. For that reason alone it is unlikely that Saddam Hussein will initiate further military action. Certainly everything we see to date suggests he is hunkering down for the long haul. If that prediction proves correct, President Bush will be confronted with some painful choices.

If deposing of Saddam Hussein would sort out the Middle East and permit the U.S. to turn its attention elsewhere, and to concentrate on our domestic problems, the case for initiating offensive action would be considerably strengthened.

But the Middle East is not that simple. Put bluntly, Saddam's departure or any other single act will not make everything wonderful. In fact, a close look at the Middle East is rather depressing. While we may wish it otherwise, the fact is that the region has been, is, and will be for the foreseeable future plagued with a host of problems, tensions, enmities, and disagreements. For example:

The Arab-Israeli dispute is alive and well. To say the least the Palestinians have been irrevocably alienated by the Israeli government's policies. There will never be true stability in the area until this dispute is sorted out.

As Henry Schuler phrased it, "Neither the feudal monarchies nor the oppressive dictatorships enjoy the stability of an institutionalized popular mandate of political participation." This suggests that political maturity, hence stability, is still a long way off.

Income differences on both national and individual levels are a constant source of tensions and envy throughout the region. I lived in the Gulf in 1976 and 1977 and witnessed this friction at close hand.

Moslem fundamentalism is spreading and the process highlights the cultural, religious and ethnic differences that abound in the area as well as the widespread distrust of the West.

Boundary disputes are legion: Qatar vs. Bahrain, Abu Dhabi vs. Oman and Saudi Arabia, Yemen vs. Saudi Arabia, Kuwait vs. Iraq.

U.S. links to Israel and the dominant position of American oil companies have turned large segments of the Arab world against the U.S. in particular.

The current crisis has divided the moderate Arab states for the first time, e.g., Saudi Arabia has now split with Jordan and Yemen (now the most populous state on the peninsula at 10+ million) over their support for Iraq. This does not bode well for the cause of stability or pluralism—both of which U.S. interests.

These frictions—singly or collectively—have resulted in a succession of explosions, assassinations, global terrorism, coups, revolutions, producer embargoes, and full scale war on occasion. Secretary Schlesinger summed it up when he said the noncombat costs of recourse to war will be substantial.

Like it or not, the process of bringing stability to the Middle East will be painful and protracted with or without Saddam Hussein.

Moreover, the U.S., both as a leader of the free world and as the world's number one consumer of crude oil, will be integrally in-

involved in the region, politically and economically, for the foreseeable future—just as we have been for the past forty years. It may not make us comfortable, but there is no way we can avoid this burden; it comes with our affluence and global reach.

This reality suggests that anything we do in that part of the world should be consistent with our past policies and our future role as an international leader. Put another way, today's problem is a great deal more complex than merely defeating Saddam Hussein.

In my view, the critical foreign policy questions we must ask are not whether Saddam Hussein is a brutal, deceitful or dreadful man—he is all of those things—but whether initiating conflict against Iraq will moderate the larger difficulties in the Gulf region and will put Washington in a better position to work with the Arab world in the future. I would submit that posturing ourselves to promote stability for the long term is our primary national interest in the Middle East.

It is not obvious to me that we are currently looking at the crisis in this light. Our dislike for Hussein seems to have crowded out many other considerations.

In working through the problems myself, I am persuaded that the U.S. initiating hostilities could well exacerbate many of the tensions I have cited and further polarize the Arab world. Certainly many Arabs would deeply resent a campaign which would necessarily kill large numbers of their Muslim brothers and force them to choose sides. From the Arab perspective this fight is not simply a matter between bad and good; it's a great deal more complex than that and includes political and social perspectives deeply rooted in Arab History. The aftermath of such a contest will very likely multiply many fold the anti-American resentment in the Middle East. In essence we may be on the horns of a no-win dilemma, even if we win we lose ground in the Arab world and further injure our ability to deal with the labyrinth of the Middle East.

I firmly believe that Saddam Hussein must leave Kuwait. At the same time given the larger context I judge it highly desirable to achieve this goal in a peaceful fashion, if possible. In other words, we should give sanctions a fair chance before we discard them. I personally believe they will bring him to his knees, but I would be the first to admit that is a speculative judgment. If in fact the sanctions will work in twelve to eighteen months instead of six months, the trade-off of avoiding war with its attendant sacrifices and uncertainties would, in my view, be more than worth it.

A part of this effort, however, must be a strong military posture both to underwrite our determination and to give effect to the embargo. Of course, it may be necessary to return to rotation policy to sustain such a presence. If the sanctions do not live up to their promise or if they collapse, then a military solution would be the only recourse, and we would be well placed to mount such a campaign. In any event, I am convinced that such an action will be much better received if we have visibly exhausted our peaceful alternatives.

If we elect a military option, I have utter confidence that our forces can prevail. It will not be cost free, of course. Casualties and the time schedule will depend on innovation, our military objectives and Iraqi determination. We cannot assume that Iraq will roll over.

Let me say a word about our objectives. It was my experience as Chairman that to get decision-makers to settle on specific mil-

itary objectives was difficult at best. There is a strong tendency to talk in generalities when contemplating combat, but that is not satisfactory. In this case, what would we expect our commanders to do—drive to Baghdad, free Kuwait, destroy Iraqi forces, eliminate his nuclear capability, or all of the above, etc. The character of your objectives influences the whole operation and your tactical plans. The more ambitious the goals are the less likely a peaceful solution can be found, the greater the casualties, the lengthier the campaign, and the more difficult postwar reconstruction. I would strongly advise that our combat objectives run along these lines:

An intense air campaign aimed at disrupting his war-making industry—including nuclear installations, conventional warfare, and biological weapons facilities.

A subsequent ground campaign designed: To cut off Kuwait and subsequently free it and

To destroy the effectiveness of the Iraqi forces both in Kuwait and on the southern border of Iraq.

I recognize that some would consider those objectives too limited. I disagree. These goals, if achieved, would deal Saddam Hussein a crushing political and military blow and dispel any further ambitions he might have to dominate either the Middle East or the global oil market. The point is to succeed with minimum effort, casualties, and political cost.

I understand that many believe our troops, our people and our allies don't have the necessary patience to wait out the quarantine. Militarily we have already lost the element of surprise; Saddam Hussein knows we are there. I believe our relative military position improves every day. It's curious that some expect our military to train soldiers to stand up to hostile fire, but doubt its ability to train them to wait patiently.

I am aware, of course, that many are concerned about the task of holding the domestic and international consensus together. While there will be grumbling, I believe the bulk of the American people are willing to put up with a lot to avoid casualties a long way from home. Similarly, I cannot understand why some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution. Actually, I sense more nervousness among our allies about our impetuosity than about our patience.

In closing, I would make a few observations that perhaps we should keep in mind as we approach this process:

Using economic pressure may prove protracted; but if it could avoid hostilities or casualties those are also highly desirable ends. As a matter of fact, they are also national interests.

It is curious that, just as our patience in Western Europe has paid off and furnished us the most graphic example in our history of how staunchness is sometimes the better course in dealing with thorny international problems, armchair strategists are counseling a near-term attack on Iraq. It is worth remembering that in the '50s and '60s, similar individuals were advising an attack on the U.S.S.R.—wouldn't that have been great?

Time often has a way of achieving unexpected results. Already there are reports that the Palestinians in Kuwait, having witnessed Saddam's cruelty, are turning away from him and that others in Jordan are also having second thoughts. I am reminded how time changed the Panamanian population's



view of Noriega. Autocrats often have a talent for alienating even friends and supporters.

Mr. Chairman, it may be that Saddam Hussein's ego is so engaged that he will not bend to an embargo or other peaceful deterrents such as containment. But I believe we should thoroughly satisfy ourselves that that is in fact the case and that hostilities would best serve our interests before resorting to unilateral offensive action against Iraq. It would be a sad commentary if Saddam Hussein, a two-bit tyrant who sits on 17 million people and possesses a GNP of \$40 billion, proved to be more patient than the United States, the world's most affluent and powerful nation.

Mr. BRZEZINSKI. Thank you, Mr. Chairman. If I may, I would like to begin with a brief personal comment. As many of you know, I supported President Bush in the 1988 elections, and I have supported his foreign policy all along. Moreover, I do not subscribe to the notion that the use of force is altogether precluded in international affairs. I mention this at the outset because I would not want my views to be interpreted as motivated either by political or ideological biases.

Let me also say right off that I have supported and still support the initial decisions of the President regarding both troop deployments to deter any further Iraqi aggression and the imposition of sanctions on Iraq for the flagrant aggression that it did commit. The President and his team are to be commended for the skill with which the international coalition has been put together and for the impressively prompt deployment of American power. The policy of punitive containment of Iraq rightly gained almost universal international and domestic support.

Most Americans, I'm sure, share the hope that the President's recent and laudable decision to initiate a direct dialogue with the Iraqi government will lead to a serious and comprehensive exploration of a non-violent solution to the ongoing crisis. Wisely, the President indicated that the purpose of such a dialogue is not to merely convey an ultimatum but to convince Iraq that its compliance with the UN resolution is the necessary precondition for a peaceful settlement. It is thus not an accident that those who so fervently have been advocating war have promptly denounced the President's initiative.

To be meaningful, such a dialogue has to go beyond demands for unconditional surrender, but involve also some discussion of the consequences of Iraqi compliance with the UN resolutions. That means that Iraq, in the course of the ensuing discussions, will have to be given some preliminary indications of the likely political, territorial, and financial aftermath of its withdrawal from Kuwait.

I stress these points because those who favor only a military solution will now exercise pressure on the President to reduce the incipient dialogue essentially to a mere transmittal of an ultimatum. That, I trust, everyone recognizes would be pointless and counterproductive. It would simply accelerate the drift to war.

While it is premature to detail here the substance of a non-violent solution to the crisis that could emerge from the proposed dialogue, it is possible to envisage a series of sequential but linked phases, all premised on Iraq having satisfied the necessary preconditions regarding Kuwait.

First, of course, its sanctions would be maintained until Iraq implements its willingness to comply with the UN resolutions regarding their withdrawal from Kuwait.

Two, binding arbitration by a UN-sanctioned body within a specified timeframe would be accepted by the governments of Iraq and Kuwait, regarding territorial delimitations, conflicting financial claims, and other pertinent matters.

Three, an international conference would be convened to establish regional limitations on weapons of mass destruction, pending which a UN-sponsored security force would remain deployed in Kuwait, and perhaps in Saudi Arabia, to ensure needed security.

It is important to note, Mr. Chairman, that any dialogue to the above effect will be conducted while Iraq is being subjected to severe sanctions. The US would be, therefore, conceding nothing while conducting the talks. It is Iraq that is under duress, not us. It is Iraq power that is being attrited, while ours is growing. It is Iraq that is isolated and threatened with destruction, not us.

Nor would any such outcome as the one outlined above be tantamount to rewarding aggression. Those who argue that do so because they desire only one outcome, no matter what the price to America—the destruction of Iraq. Withdrawal from Kuwait would represent a massive setback for Saddam Hussein and a victory for the international order. It will be a dramatic reversal of aggression, humiliating and painful to the aggressor.

However, it is quite possible, perhaps even probable, that the talks will initially prove unproductive. In my view, that should not be viewed as a *casus belli*. Instead, we should stay on course applying the policy of punitive containment. This policy is working. Iraq has been deterred, astrophized and punished. Sanctions, unprecedented in their international solidarity and more massive in scope than any ever adopted in peacetime against any nation—I repeat—ever adopted against any nation, are inflicting painful costs on the Iraqi economy.

Economic sanctions, by their definition, require time to make their impact felt. But they have already established the internationally significant lesson that Iraq's aggression did not pay. By some calculations, about 97 percent of Iraq's income and 90 percent of its imports have been cut off, and the shutdown of the equivalent of 43 percent of Iraq's and Kuwait's GNP has already taken place. This is prompting the progressive attrition of the country's economy and war-making capabilities. Extensive rationing is a grim social reality. Over time, all this is bound to have an unsettling effect on Saddam Hussein's power.

The administration's argument that the sanctions are not working suggests to me that—in the first instance—that the administration had entertained extremely naive notions regarding how sanctions actually do work. They not only take time, they are by their nature an instrument for softening up the opponent, including in the adversary a more compliant attitude towards an eventual nonviolent resolution. Sanctions are not a blunt instrument for promptly achieving total surrender.

Worse still, the administration's actions and its rhetoric have conveyed a sense of impatience that in fact has tended to undermine the credibility of long-term sanctions. Perhaps the administration felt that this was necessary to convince Saddam Hussein that it meant business, but the consequence has been to make the administration the prisoner of its own rhetoric, with American options and timetable thereby severely constricted.

The cumulative result has been to move the United States significantly beyond the

initial policy of punitive containment with the result that the conflict of the international community with Iraq has become over-Americanized, over-personalized, and over-emotionalized. The enormous deployment of American forces, coupled with talk of "no compromise" means that the United States is now pointed towards a war with Iraq that will be largely an American war fought predominantly by Americans, in which—on our side—mostly Americans will die, and for interests that are neither equally vital nor urgent to America, and which in any case can be and should be effectively pursued by other less dramatic and less bloody means.

Yet, to justify military action, the administration, echoing the advocates of war, has lately been relying on the emotionally charged argument that we confront a present danger because of the possibility that Iraq may at some point acquire a nuclear capability. In other words, not oil, not Kuwait, but Iraq's nuclear program has become the latest excuse for moving toward war.

This argument deserves careful scrutiny. But once subjected to it, this latest case for war also does not meet the tests, of vitality or urgency to the American national interests. First of all, it is relevant to note that when the United States was threatened directly by the far more powerful and dangerous Stalinist Russia or Maoist China, it refrained from engaging in preventive war. Moreover, Israel already has nuclear weapons and can thus deter Iraq, while the United States has certainly both the power to deter or to destroy Iraq. Deterrence has worked in the past, and I fail to see why thousands of Americans should now die in order to make sure that at some point in the future, according to experts some years from now, Iraq does not acquire a militarily significant nuclear capability.

Second, it is within our power to sustain a comprehensive embargo on Iraq to impede such an acquisition. Unlike India or Israel, Iraq does permit international inspection of its nuclear facilities. This gives us some insight into its program. Moreover, much can happen during the next several years, including Saddam's fall from power. Hence, the precipitation of war now on these grounds meets neither the criterion of urgency nor vitality.

More than that, war would be highly counterproductive to the American national interest. A war is likely to split the international consensus that currently exists, the United States is likely to become estranged from many of its European allies, and it is almost certain to become the object of widespread Arab hostility. Indeed, once started, the war may prove not all that easy to terminate, given the inflammable character of Middle Eastern politics. It could be costly in blood and financially devastating.

This prospect is all the more tragic because the United States would thereby be deprived of the fruits of its hard-earned victory in the Cold War. We stand today on the threshold of an historic opportunity to shape a truly cooperative world order based on genuine cooperation and respect for human rights. Yet, our over-reaction to the crisis in the Persian Gulf is now adversely affecting both our priorities and our principles.

In any case, Mr. Chairman, it is war that soon we may have to face because of the combined pressures resulting from Iraqi intransigence, the imposition of a deadline, the lack of patience in the application of sanctions, and the consequences of massive troop deployments. Given the possibility,

therefore, that the United States might be plunged by presidential decision into a war with Iraq, I would urge this committee to examine carefully in its deliberations and to press the administration for answers regarding the following three clusters of critically important issues.

One, what are the political limits and the likely geopolitical dynamics of war once the President decides to initiate it? For example, we have to be concerned over the use of air power, that in order to mitigate casualties for U.S. ground forces, the killing not only the hostages, but also thousands, perhaps tens of thousands or even more, of Iraqi civilians who are not to be held responsible for Saddam Hussein's flagrant misconduct might be required. Is this politically viable? Is this morally admissible?

Also, how does the administration envisage the termination of the war? Do we expect a total surrender, or are we counting on a negotiated outcome after a spasm of violence? Are we prepared to occupy all of Iraq, including the huge city of Baghdad? Are we logistically prepared for a war that is not promptly resolved by air power? And are we psychologically, for heavy American casualties?

And once war begins, Iran and Syria may not remain passive, and the war could thus spread. One has to anticipate the possibility that Iraq will seek to draw Israel into the war. Does the administration have a contingency plan in the event that Jordan becomes a battlefield? What might be the U.S. reaction if some Israeli leaders seek to take advantage of an expanded war to effect the expulsion of all Palestinians from their homes in the West Bank? The Gulf crisis and the Arab-Israeli conflict could thus become linked. Our efforts to the contrary notwithstanding.

I believe, Mr. Chairman, the administration is paying insufficient attention to these inherent uncertainties of war. The war could prove more destructive, more bloody, and more difficult to terminate than administration spokesmen, not to speak of sundry private advocates of war, seem to think. I also believe the administration has not given sufficient thought to the geopolitical disruptive consequences of a war in a region that is extraordinarily incendiary. An American military invasion of Iraq would be likely to set off a chain reaction that could bog America down in a variety of prolonged security operations in a setting of intensified political instability.

Secondly, what are the likely broader aftereffects of the war? The administration has yet to move beyond vague generalities regarding its concept of the postwar Middle East. Yet considerable anxiety is justified that subsequent to the war, the United States might not be able to extricate itself from the Middle Eastern cauldron, especially if, in the meantime, the Arab masses have become radicalized and hostile to the Arab regimes that endorsed the U.S. military action.

How will that affect America's global position? I would think it likely that with the United States embroiled in the Middle Eastern mess for years to come, both Europe and Japan, free to promote their own agendas, will pursue the enhancement of their economic power. And in the region itself, it is probable that fundamentalist Iran will become the dominant power in the Persian Gulf and that terrorist Syria will inherit the mantle of leadership among the Arabs. It is also possible that the destruction of Iraq by America and the resulting radicalization of

the Arabs might leave Israel, armed as it already is with nuclear weapons, more tempted to use its military force to impose its will in this volatile region.

How will all this affect the area's sensitive balance of power? I believe that none of the above possible developments would be in the American interest. Yet I do not sense that sufficient strategic planning has been devoted by the administration to an analysis of the wider shock effects of a war that is bound to be exploited by other parties for their own selfish ends.

Third and finally, what is being done to ensure that the worst burdens and sacrifices are more fairly distributed among its potential beneficiaries or participants if war must come? One cannot help but be struck by the relatively limited contributions of our allies. Moreover, as I understand it, some states with forces in Saudi Arabia have indicated that they will not participate in offensive operations.

The American public certainly is not satisfied with the financial support extended by Germany and Japan. Is the administration satisfied? What additional financial contribution can be expected from the Saudis and the Kuwaitis? It is noteworthy that Saudi Arabia has already benefited very substantially from the oil crisis and that the Emir of Kuwait and his family are in the forefront of those arguing for Americans to initiate military action.

Are we thus, despite all of our rhetoric about the new international order, not running the risk of becoming the mercenaries in this war, applauded and financed by others to do the fighting and the dying for them?

I believe that it is already evident that the principal sacrifices of war, both financial and in blood, will in fact have to be borne by America and to a massively disproportionate degree. Such evident unfairness would inevitably have a very adverse impact on American attitude toward its allies with deleterious consequences for American public support for the so-called "international order."

These are tough issues, and unless the administration responds to them satisfactorily, the war will lack domestic support while generating polarizing political passions. Even worse, unless the administration thinks hard about such questions, it could embark on a course deeply damaging to our national interest.

Mr. Chairman, let me conclude with a brief word about the lessons of history. It is important to apply them with a sense of proportion. To speak of Saddam Hussein as a Hitler is to trivialize Hitler and to elevate Saddam. Iraq is not Germany, but a middle size country on the scale of, say, Romania, dependent on the export of one commodity for most of its income, unable on its own either to fully feed itself or to construct its own weapons. It is a threat to regional peace, a threat with wider global economic implications. But it is a threat we can contain, deter, or repel as the situation dictates. Therefore, in my view, neither an American war to liberate Kuwait nor a preventive war to destroy Iraq's power is urgently required, be it in terms of the American national interest or of the imperatives of world order.

President Bush's initial commitment to punish Iraq and to deter it remains the wisest course, and one which this nation can resolutely and in unity sustain over the long haul. By any rational calculus, the trade-offs between the discomforts of patience and the costs of war favor patience. Both time and power are in our favor, and we do not need to be driven by artificial deadlines, deceptive

arguments, or irrational emotion, into an unnecessary war.

Thank you, Mr. Chairman.

Mr. EXON. Mr. President, will the Senator yield so that I may read into the RECORD very briefly the statement he just referred to that I think should go in following the remarks he just made?

Mr. SARBANES. I yield to the Senator from Nebraska.

Mr. EXON. Mr. President, I was concerned earlier about charges of partisanship on this, and none is intended or implied. The Senator from Maryland has just referred to the Senate joint resolution as offered by the majority leader. I want to read it into the RECORD at this time. It simply says:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress is firmly committed to reversing Iraq's brutal illegal occupation of Kuwait.*

*(b) The Congress authorizes the use of American military force to enforce the United Nations economic embargo against Iraq; to defend Saudi Arabia from direct Iraqi attack; and to protect American forces in the region.*

*(c) The Congress believes that continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained, but does not rule out declaring war or authorizing the use of force at a later time should that be necessary to achieve the goal of forcing Iraqi troops from Kuwait.*

*(d) The Congress pledges its full and continued support for sustaining the policy of increasing economic and diplomatic pressure against Iraq; for maintaining our military options; and for efforts to increase the military and financial contributions made by allied nations.*

*(e) The Constitution of the United States vests all power to declare war in the Congress of the United States. Congress will expeditiously consider any future Presidential request for a declaration of war or for authority to use military force against Iraq, in accordance with the following procedures that are subsequently about to be offered.*

I submit that this is not partisan. I thank my friend from Maryland for allowing me to proceed.

The PRESIDING OFFICER. The majority leader is recognized.

#### UNANIMOUS-CONSENT AGREEMENT—SENATE JOINT RESOLUTION 1

Mr. MITCHELL. Mr. President, I send to the desk a joint resolution and I ask unanimous consent that it be placed on the calendar and that it be in order to move to proceed to the joint resolution at any point after the close of business today.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I send to the desk a document entitled "Summary of Expedited Procedures" which explains the expedited proce-



dures contained in the joint resolution I just sent to the desk and ask this be printed in the RECORD along with the joint resolution.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### S.J. RES. 1

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That*

(a) The Congress is firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait.

(b) The Congress authorizes the use of American military forces to enforce the United Nations economic embargo against Iraq; to defend Saudi Arabia from direct Iraqi attack; and to protect American forces in the region.

(c) The Congress believes that continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained, but does not rule out declaring war or authorizing the use of force at a later time should that be necessary to achieve the goal of forcing Iraqi troops from Kuwait.

(d) The Congress pledges its full and continued support for sustaining the policy of increasing economic and diplomatic pressure against Iraq; for maintaining our military options; and for efforts to increase the military and financial contributions made by allied nations.

(e) The Constitution of the United States vests all power to declare war in the Congress of the United States. Congress will expeditiously consider any future Presidential request for a declaration of war or for authority to use military force against Iraq, in accordance with the following procedures:

#### SEC. 1. CONGRESSIONAL PRIORITY PROCEDURES FOR CERTAIN JOINT RESOLUTIONS.

(a) DEFINITION.—For purposes of this Act, the term "joint resolution" means any joint resolution which is introduced in a House of Congress after the President has made a request under section 1(e) and which consists solely of a declaration that a state of war exists between the United States and Iraq or an authorization for the use of the Armed Forces of the United States against Iraq.

(b) CONSIDERATION OF RESOLUTIONS.—Section 258A(b) of the Balanced Budget and Emergency Control Act of 1985 (2 U.S.C. 901 et seq.) shall apply to the consideration of any joint resolution under this Act, except that—

(1) notwithstanding paragraph (2) of that section, the Majority Leader of the Senate may move to proceed to the consideration of a joint resolution at any time;

(2) the time for consideration of a joint resolution in the Senate shall be limited to not more than 20 hours during which time the time for debate on any amendment thereto shall be limited to not more than 2 hours, and the time for debate on any amendment to such an amendment shall be limited to not more than one hour;

(3) if, during the consideration of the joint resolution under paragraph (2) of this subsection, the Minority Leader has not had the opportunity to offer an amendment, he may, at the expiration of the 20-hour period and the disposition of all pending amendments, offer an amendment which may amend language previously amended, on which there may be two hours of additional debate, which amendment shall be subject to one

amendment thereto, on which there may be an additional one hour of debate;

(4) the total time for consideration at any stage of the proceedings in the Senate of all amendments between the Houses of Congress and motions with respect to all such amendments shall be limited to not more than 3 hours (and the time for consideration of any such amendment or motion shall be limited to 30 minutes), and the total time for consideration of a conference report on a joint resolution shall be limited to not more than 3 hours;

(5) any amendment between the Houses of Congress with respect to a joint resolution, and any amendment to such an amendment, shall be germane;

(6) upon the expiration of the three-hour period described in paragraph (4) of this subsection with respect to consideration of amendments between the Houses and upon disposition of any pending questions, no further amendments shall be in order and only the following motions shall be in order and shall be decided without debate: motions to concur, to disagree, to insist, to recede, to table, to request or agree to conference, and motions to appoint conferees;

(7) in the event that conferees are unable to agree within 24 hours after the House that requested conference was notified that the other House has agreed to conference, the conference shall be deemed to be discharged, and it shall be in order to consider any amendment or amendments in disagreement;

(8) in paragraph (3)(C)(i) of that section, the phrase "or to the order under section 254" shall be deemed instead to read "or to a declaration that a state of war exists between the United States and Iraq or to an authorization for the use of the Armed Forces of the United States against Iraq"; and

(9) the following provisions shall not apply:

(A) in paragraph (2) of that section—

(i) the phrase "On or"; and

(ii) the phrase "(excluding Saturdays, Sundays, and legal holidays)" the first place it appears; and

(B) paragraphs (3)(C)(ii), (5) and (6) of that section.

#### SUMMARY OF EXPEDITED PROCEDURES

The expedited procedures may be used to authorize a declaration of war or other authorization for the use of military force against Iraq. A resolution qualifying for expedited procedures may be introduced any time after the President has requested a declaration of war or other authorization for use of force against Iraq.

After the resolution is introduced, the Majority Leader may immediately make a nondebatable motion to take up the resolution.

Once the Senate takes up the resolution, there is a 20-hour period for its consideration. This includes the time for disposing of all amendments, motions, votes, quorum calls, and appeals of rulings of the Chair. No motions may be made to delay or postpone consideration.

Within the 20-hour period, the time for debate on any amendment is limited to 2 hours, and debate on any amendments to amendments is limited to one hour. All other debatable motions are limited to 30 minutes. Only amendments that are germane are allowed. At the conclusion of the 20-hour period, if the Minority Leader has not had an opportunity to offer an amendment, he may do so, with 2 hours of debate. That amendment is subject to one amendment, with one hour of debate.

When the Senate finishes its debate, there is a vote on final passage. A motion to reconsider the Senate's vote is not in order.

If the House passes a different resolution, the Senate will decide whether to return it to the House with an amendment or ask for a conference. The debate on these issues is limited to 3 hours. Debate on any motion within that 3-hour period is limited to 30 minutes. At the end of the 3-hour period, no further amendments are in order in the Senate. The only permissible motions at that point will be motions that have the effect of: (1) concurring with the House; (2) returning the measure to the House; or (3) sending the measure to conference.

Conferees will have 24 hours in which to reach agreement. Senate debate on the conference report is limited to 3 hours. If the conferees fail to reach agreement within 24 hours, they will be discharged. The Senate then takes up the measure (including amendments) under the 3-hour procedure for resolving differences between the Houses.

#### ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of the Senate, I have had a number of discussions with the distinguished Republican leader today regarding the process by which we should handle this issue. Earlier this morning, I obtained consent to have printed in the RECORD the joint resolution, the provisions of which were just read into the RECORD by the distinguished Senator from Nebraska.

The copy which I have just sent to the desk to be printed includes the proposed expedited procedures that were not included in the document submitted this morning. The first page is identical. It is the substance of the resolution. The expedited procedures were worked out during the day and along with the explanation are contained in the documents I have just presented for printing.

The unanimous-consent request I have just obtained, following discussion with the distinguished Republican leader, provides that this resolution is now placed on the calendar and that it will be in order for me to move to proceed to the joint resolution at any point after the close of business today. It is my intention to do so at some point during the day tomorrow following further discussions with the distinguished Republican leader.

As I have stated publicly previously, and have stated in my discussions with the distinguished Republican leader, it is my hope that the Senate can debate and vote on this issue on Saturday. The House has now agreed to a schedule which provides for three votes to occur on Saturday. I believe that the measures we are considering here are either identical to or substantially similar to those to be voted on in the House, although I understand that no final decision has been made by my distinguished colleague with respect to the resolution that they will offer.

But I repeat that I think the best way to handle it is we have presented our resolution. We invite our colleagues to present their resolution. We

should then have a debate and vote on the two resolutions, so that every Senator has the opportunity to express himself not only in debate but also in voting on the respective resolutions. I hope we can do that. We do not yet have an agreement.

Understandably, our colleagues wish to consult on the matter as how best to proceed. But I merely want Senators to know that remains my hope and intention and, if it is possible, to achieve consent to do that.

I thank my colleague, the distinguished Republican leader, for his cooperation in the discussions we have had today and in this most recent unanimous-consent agreement which permits us to be in a position to move to proceed to this matter tomorrow. I hope we can do so. I hope we can get on the resolution.

In the meantime, of course, the debate is continuing in any event. Several Senators have spoken today. I know still others remain to be heard. I anticipate that debate will continue during tomorrow, and during that time it is our intention to continue these discussions to see if we can reach an agreement on the best way to proceed.

Mr. President, I now invite my distinguished colleague to comment in any respect that he wishes to do so.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Chair recognizes the Senate Republican leader.

Mr. DOLE. Mr. President, let me indicate that tomorrow morning at 11 o'clock, the Republicans will have a conference where we will discuss what we think will be our resolution. Hopefully, sometime tomorrow, either before that meeting or after that meeting—much may depend on the weather, I guess; I understand there could be a storm—we might meet in S-407 to hear from appropriate CIA officials with reference to whether or not sanctions will work without the threat of military force in a number of ways, because it seems to be that is the key.

As I understand, many of my colleagues on the other side of the aisle are saying sanctions is the way to go. That does not say how long. It does not say we are going to keep the 400,000 troops there, but that is the policy: Sanctions will solve our problems.

On the other hand, there are others who feel just as strongly that we can send a stronger message to Saddam Hussein by approving the use of force, hoping it will not be needed. Nobody I have found yet in this Chamber wants a war, on either side of the aisle. So I guess it comes down to how do we send the strongest message.

I also hope that tomorrow morning we might have a vote on commending the Secretary General for his visit to Baghdad, wishing him success. It seems to me that might be of some help, because we want to use every available resource. Perhaps that might be one

way to get things moving if there should be any delay.

So we will be prepared to cooperate with the majority leader, hopefully in every case. And if we can do that, then the votes could occur on Saturday. I guess the only exception I would note at this time is if it would appear that the vote could be adverse to the President's policy and the President's request for support from Congress. If that were the case, and I do not know that to be the case—I do not think the majority leader does either—then we might have to adopt a different course of action on this side of the aisle, not to frustrate some of my colleagues but to preserve the options the President may need.

I say that so that everyone will know that we want to cooperate. We will have no more serious issue before us the rest of this year. There is no doubt in my mind; this is about as serious as they come. We believe that there are some fundamental issues that need to be addressed and some fundamental policies that need to be explored. But in the final analysis, our best hope for peace is support of the President of the United States.

I will continue to discuss everything I learn with the majority leader so he will not be surprised. I do not intend to try to surprise the majority leader.

Mr. MITCHELL. Mr. President, I thank my distinguished colleague, and, of course, I am pleased to provide the same assurance.

As I have indicated previously to the distinguished Republican leader, it is my hope—indeed, I have indicated this to all Members of the Senate—that no Senator or group of Senators feels compelled for whatever reason to engage in delaying or other tactics which would prevent the Senate from voting on these matters and expressing its view.

I do not mean to suggest that such actions would be inappropriate or in any way contrary to the rules. Indeed, they would obviously be pursuant to the rules, contemplated by the rules. As we all know, under the rules of the Senate, a single Senator, and certainly a determined large group of Senators, although not a majority, could prevent the Senate from voting if they were under the impression that the vote may be contrary to the point of view that they advocate. That is not an uncommon event in the Senate. Indeed, it is just the opposite; it is a common event.

But I believe this is not; that this is an uncommon issue, and I hope that it does not prove to be necessary on anyone's part. I think it is likely that should our colleagues on the Republican side of the aisle decide they do not want to vote on this, given the numbers and Senate rules, it is pretty clear that the Senate could be prevented from voting, period; that we could simply find ourselves in a stale-

mate and be prevented from voting on this. That is something I think we all recognize and acknowledge, given the composition of the Senate and the rules of the Senate.

I hope that does not prove to be the case and look forward to our continuing discussions with a view toward permitting the Senate to express itself, permitting Senators to vote on these issues prior to January 15, even as we recognize the right of the Republican minority or any other substantial group to prevent the Senate from doing so.

Mr. EXON. Will the leader yield for a question?

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. MITCHELL. I wanted to make certain, if I might, that the distinguished Republican leader did not wish to be recognized further.

Mr. DOLE. Yes.

Mr. MITCHELL. I will yield for a question. I yield the floor.

Mr. EXON. Regarding the following week, there was some discussion or talk earlier that we would be in Monday or sometime next week for possible introduction of general bills. Can the leader tell me at this time what his plans are? Are we going to be in Monday, assuming the matter is resolved on Saturday, as the leader has just outlined? What are the current plans for next week?

Mr. MITCHELL. Under the agreement entered into earlier in the week, we will be in session on Monday, January 14, for at least the purpose of introduction of bills and joint resolutions. So Senators who have bills that they intend to offer for consideration during this Congress will be free to do so at this time and can expect to have the session for at least that purpose on Monday.

Mr. EXON. And the rest of the week?

Mr. MITCHELL. It depends entirely upon whether or not we are able to dispose of this matter. I would prefer to defer judgment until such time as we see what happens here.

Mr. EXON. Is it fair to assume that, if this matter is resolved on Saturday or Sunday, we would not be in session after Monday?

Mr. MITCHELL. That is a possibility, but I would not want to characterize it as a certainty just yet.

Mr. EXON. I thank the Senator.

Mr. MITCHELL. I thank my colleague. Mr. President, I yield the floor.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine [Mr. COHEN].

WHETHER FORCE OUGHT TO BE AUTHORIZED

Mr. COHEN. Mr. President, I would like to offer for discussion the central issue of whether force ought to be authorized. The President of the United States apparently has indicated that he need not go to Congress for this authority. In fact, I have heard the Presi-



dent on several occasions indicate that we who support his policy should come down to the White House or just introduce resolutions in support.

I believe article I, section 8, requires just the opposite. The President must come up to Capitol Hill to request such authority.

The second thing that I think has to be made very clear is that the President has stated either privately or perhaps even semipublicly that, if Congress were to deny the authority, if the majority leader's resolution were to pass, by way of example, that the President would feel free to ignore the will of Congress and move without congressional authority.

Mr. President, I have stood on this floor on many occasions arguing constitutional issues in opposition to the White House, the most recent perhaps dealing with the requirement that I believe the White House has to give prior notice on covert actions. I think there is some ambiguity, obviously, in the interpretation of the respective powers of the executive and the congressional branches, but there is no doubt in my mind that Congress has the sole power to declare, and the President has the sole power to execute, wars. I think we ought to be very, very clear on that issue so that we do not find attacks later being made at the President or upon the President for exceeding his constitutional authorities. I think that we ought to debate that issue as part of any decision on the majority or minority leader's resolutions.

The President has a duty to inform, to educate, and to inspire, not to dictate or to decree. He does not have an army that serves at his pleasure. This, for me, is not simply quibbling over constitutional interpretation. This is fundamental to the allocation of constitutional power.

But second, equally important I think, the President should not suggest that if Congress were to reject his request for the use of authority he would still proceed in its absence. I think that is not only constitutionally wrong, but I think it is tactically wrong, because it makes it much easier for people who are faced with the tough decision to simply say, "If it does not matter what my vote is, I might as well vote on the popular side of the issue." And the way the mail is running or the phone calls are running, it lets many people avoid that tough decision by saying, "If it does not matter, why should I support the policy?"

So I think the President, if he in fact is advocating this—I do not know, only what I have heard or read—that he is making a mistake, and I hope that he will not support those particular provisions.

I have not had a chance to really review the majority leader's resolution. Based upon what I heard being read just moments ago, I think there may

be one provision missing. That has to do with the authorization for the use of funds to conduct an offensive war.

If it is going to be the position of the majority that the President should not proceed to conduct an offensive war against Saddam Hussein, then I think we have to give serious consideration as to whether or not Congress should also debate whether funds should be made available to conduct such an offensive war in the absence of a declaration or authority given by Congress. Otherwise, I am afraid we may find a situation developing where Members of the Senate or the House may say, "Mr. President, we disagree that you have authority to go without our permission. If you do, we will support you, and then we will deal with the fallout later."

The fallout later might very well be a series of impeachment resolutions filed in the House of Representatives saying that the President had exceeded his constitutional authority. I would not want to see that occur if in fact it can be avoided in the initial instance.

So that is something I think we have to look at in debating the majority leader's resolution or, indeed, that of the minority leader.

Mr. President, there has been some question about whether or not this debate or our debating over the past several weeks is seen by Saddam Hussein as a political defeat for President Bush. That may be the case. That is because Saddam Hussein looks through the flat eye of the fanatic. He rewards those who dissent with a bullet in the brain. But debate is the very essence of a democracy even when it is an inconvenience to a President or, indeed, embarrassing to a President.

No one—I want to repeat that—no one should question the motivations or the patriotism or the political aspirations of those who choose to disagree with the President, because the best way of achieving peace is the business of each and every one of us.

I would like to take a few moments to review how I believe we got where we are today. I believe we are paying the wages of past sins and of lessons lost. Back in 1973 we found ourselves stretched over an oil barrel. We vowed at that time, I remember it very well, to become energy independent.

We preached and we practiced conservation, knowing that the cheapest barrel of oil was the one we did not have to produce. Within 10 years our memory and our willpower have faded. Tax incentives for conservation were terminated, big cars returned to the highways, speed limits were lifted, consumption soared, discipline died, and now once again our economy is tied to the wildly oscillating prices of foreign oil.

We may have no choice but to confront Saddam Hussein now, but it would have been far better to have

made war on energy waste in the past than on Baghdad tomorrow or after January 15.

There are other free nations also addicted to oil whose conduct has helped to produce the crisis in the gulf. I would cite specifically the French, who were eager to help Saddam Hussein build a nuclear capability at Osirak which the Israelis destroyed back in 1981, to everyone's condemnation and relief; the Germans, who transferred chemical weapons technology to Iraq as well as to Libya; the civilized world, including the United States, that refused to condemn Iraq and punish it for using chemical weapons against the Kurds and the Iranians.

We, in fact, only slapped Saddam Hussein on the wrists, and we said, "Do not do it again." And in the wake of his utter disregard and contempt for international accords and standards, we increased trade to the point where Iraq became our second largest trading partner in the Arab world.

Apparently, we thought we should engage in a behavior modification program, believing that continued trade and assistance would moderate his behavior. In fact, most of us recall that just 1 week prior to his invasion of Kuwait, we were on the floor offering an amendment to cut off all trade with Iraq, and at that time many of the Members who are now supporting actions against Iraq, including the administration, and, with the aid and assistance of the administration, actively opposed any attempt to terminate trade with Iraq. One week prior to his invasion.

We now find ourselves acting in concert—I cannot bring myself to use the word alliance—with Syria, a nation that is at the very top of the list of Terrorists, Inc.; with China, who at this moment is engaged in the trial of students who demonstrated for democracy back in Tiananmen Square, and all the while we are urging a traditional friend, Israel, to lower its profile, to be silent as we whisper to the Arab nations that we will exert pressure on Israel and help bring about an international conference on peace in the Middle East.

With respect to our allies, a great deal has been said about the disproportionate burden that we have had to bear. Much more needs to be said and done about those allies.

Again, I return to Germany, which has been so meager in its contribution to the crisis and now so eager to rush to Baghdad with its diplomatic hat in hand.

Japan, which is almost wholly dependent upon a stable supply of Persian Gulf oil, has been penurious, to say the least, in its financial support of our efforts while its private companies are busily buying up Hollywood. I believe the conduct of Germany and Japan will have long-term con-

sequences in this country, and it should have.

But their disappointing, deplorable performance should not deflect us from the central issue confronting us: Is war justified? Is it justified to liberate Kuwait? I suggest that the American people would say no. To defend the Saudi royal family? I suggest the people of this country would say no. To protect oil? It is far too cruel an equation to trade an ounce of blood for a barrel of oil. While most of us flinch from the notion that we should ever fight over oil, the overwhelming majority of the Members of this body and the country support keeping 250,000 troops in the Saudi desert to do precisely that.

The central question for me and the one that justifies sending our young men and women into battle is the threat that Saddam Hussein poses for the United States in the future. Not much has been said about the need to reduce the size and capability of the killing machine that all of us have helped to build.

There has been a suggestion that if Saddam Hussein returns to Baghdad, we will be able to cause his military to wither away through the enforcement of sanctions. I must tell you, Mr. President, I do not believe that is possible.

A little over a year ago—and I see my colleague from Oklahoma, the chairman of the Intelligence Committee, and he will recall this well—we discovered that Libya, with more than a little help from our friends, had constructed a chemical weapons plant. We alerted the world, we sounded all the whistles and blew all the horns.

Look what happened. We talked to the Chancellor and apprised him of what his private companies were doing. We hoped we could stop the completion of that so-called pharmaceutical plant. But according to recent news accounts, the plant has been completed, and it is ready to go into production of toxic gas and nerve agents. We can take little solace in the ability or willingness of those companies who smell a profit even in a canister of poison to refrain from selling more weaponry to Iraq.

Most Americans applauded the strike against Mu'ammarr Qadhafi after they learned of his connection to the bombing of the LaBelle Discotheque in Berlin. It stopped his terrorist activities, at least for a while.

But I have to ask the question: What if Qadhafi possessed nuclear weapons, or had a so-called crude device that his agents could explode in New York City or Washington, DC? Would we have attacked Libya at that time? Perhaps; but perhaps not.

Which brings me to the issue of nuclear weapons in the hands of Saddam Hussein. The evidence on this is conflicting, and the Senator from Maryland has obviously read extensively the testimony in the Armed Services Committee. The evidence is conflicting. We

have had estimates that it could be in 6 months, a year, possibly 3 years, or maybe even 10 years. I do not know whether he could develop a nuclear weapons capability in 6 months or 6 years. What I do know is that we have been surprised before.

Again, I refer to my colleague from Oklahoma. We were surprised when Saudi Arabia acquired an IRBM [intermediate range ballistic missile] capability from China.

We were surprised with Iraq's ability to extend the range of Soviet-made Scud B missiles.

We were surprised when Libya acquired its chemical weapons plant.

We were astonished when Iraq was able to nearly put a rocket into space, to launch a payload into space with its Tamuz, a three-stage rocket. We have to remind ourselves that what can be put in space can also be launched across the Atlantic.

So the evidence with respect to his ability to acquire nuclear weapons is unclear. But the argument is made that even if Saddam Hussein acquires nuclear weapons, we should not become insomniacs over it. After all, we have faced them in the hands of Khrushchev, Brezhnev, Andropov, Chernenko, Gorbachev, and Deng Xiaoping.

It strikes me that this particular rationale is similar to what lawyers call pleading in the alternative. My client was not there. If he was, he did not commit the assault. If he did commit the assault, he was provoked and acted only in self-defense. And even if he was not acting in self-defense, he was suffering from temporary insanity. That is what we call pleading in the alternative.

Much can be said about the same thing as far as it applies to Saddam Hussein. He does not have nuclear weapons. He cannot get them for 6 months or 6 years. Even if he could acquire them in 6 months, it would only be a crude device. It would have to be delivered by truck or 747. Even if they could put it on missiles, Iraq would not dare to use them for fear of retaliation. Again, perhaps not.

It strikes me as curious, to say the least, that we now have the capacity to obliterate Iraq, and that did not deter him. The notion that he would have more consideration for his people than he did before, after he acquires nuclear weapons strikes me as a dangerous self-delusion. Whether he acquires them in 6 months or 6 years, he eventually will have them; and he will have them and an intercontinental range for his ballistic missiles; and that means that the wheat fields of Kansas will fall under the same threat as the oil fields of Kuwait and Saudi Arabia.

Even if he feared a retaliatory strike by the United States and was deterred from attacking us directly, I have no doubt that his very possession of nuclear weapons would intimidate other

nations in the Gulf and force them to capitulate—all except Israel.

I have hoped, and I must say I have prayed, time after time, that sanctions would be sufficient to bring Saddam Hussein to his senses. But I have had to consider what he has forced his people to endure. He has forced them to suffer 300,000 dead, 700,000 wounded—all for half a waterway, which he turned around and gave back to Iran. He has gassed thousands of innocent people. He has held 10,000 innocent civilians as hostages and human shields.

Once, just a few months ago, we labeled Saddam Hussein a thief, a robber, a plunderer, a murderer. We accused him of war crimes, and the Amnesty International report is not good bedtime reading. Then we demanded reparations.

That was a few months ago. The time has passed. We have softened our position. Today, all we ask is that he leave Kuwait, and we hint that he will have a forum to discuss grievances and territorial claims.

Yes, at the end of the rainbow there is a gleaming pot of gold called the International Peace Conference at which all of our allies will gang up on Israel and demand that they give land for peace. That is what we are offering even today.

How does Saddam Hussein respond? Take your letter back to the White House. We must speak to him more deferentially and with greater respect.

In the face of this utter contempt for our efforts to avoid war, there are even now some who suggest we walk another mile—what, after all, is a little bit of linkage between enemies? If we are going to give up and pressure Israel in the end, why not say so now and avoid war?

The short answer—if we have not learned from the experience of dealing with Iran over the hostages, or with Saddam Hussein for the past 6 months—is that an extortionist's price is never paid. It will always be another 500 TOW missiles for one more hostage, another Kuwaiti island for the removal of an Iraqi division.

Originally, I believed that sanctions might bite hard enough to force him out of Kuwait. I might have been overly optimistic in this view. But, in retrospect, I now realize that whatever merits I had in holding that view, once President Bush went to the United Nations and secured authority to use force after January 15, it would be virtually impossible to resort to sanctions as the only leverage to be applied during the next year.

If the United Nations authorizes the use of force and Congress rejects such authorization or defers it until some time next fall, it is my judgment—something I cannot prove, but I can only say it is my judgment, something I believe—that the coalition that now exists will crack almost immediately



with each nation trying to strike its own deal with a new Middle East Saladin. One by one they are going to surrender to his demands or face annihilation.

It is possible for us to step back and away from this conflict and allow what has been called by one expert who testified before us, this "wheel of conflict," to spin on its own violent axis. But I suggest to you, Mr. President, that at some point, be it 6 months, 3 years, 5 or 10 years, the wheel will grow larger and pull us into its orbit.

We have not discussed the issue of terrorism at any length, and perhaps that is something that should be reserved for another time later in the debate. But I believe that Saddam Hussein will in fact resort to terrorism in response to our actions in the Gulf. I think we have to prepare ourselves for it.

I believe he will use chemical weapons, and I believe that he will even resort to the use of biological weapons. One thing that has persuaded me perhaps more than any other is that months ago we were told and we read and understood that he was developing biological weapons. He was not quite there yet. But by January he would have them.

I believe that he in fact is contemplating the use of biological agents, and I believe the 6 months that we have waited to build up our forces has enabled him to actually help perfect that particular technology. I think that that is something that presages the future. That is the present that will become prologue as well.

Mr. President, this is a very difficult time for every American family, especially those with husbands, wives, sons, and daughters who are in the Persian Gulf. I take the words of Senator SARBANES, the Senator from Maryland, very seriously as to how we look those parents and husbands and wives and children in the eyes and tell them that we supported the use of force.

We are walking in the shadows of Munich and Vietnam, and the path is dark and dangerous.

There are questions to which there are no mathematically certain answers. I know that some have spun out all the calculations—so many sorties, so many bombs, so many deaths. I cannot do that. I do not have that capability. There are questions to which there are no answers.

Whether sanctions can hold long enough to be effective, we do not know. None of us can be sure, notwithstanding what some of the experts predict. One expert said he was satisfied they would work. Several said they believe sanctions would work. One said he hoped they would work. None of us can be certain on that issue.

Whether war can be short enough or fought with minimal enough casualties

to sustain public support, we do not know.

What will we do after the war? Senator BIDEN raised some legitimate questions.

What will we do after the war?

How will we keep the Syrian and Iranian wolves from Iraq's door?

How can we help establish stabilizing institutions in an inherently unstable region?

A thousand doubts rush at us from the darkness. Yet we are required to decide.

I went back and read some of Manchester's biography of Churchill and came across an interesting observation which I would like to read. He said:

The present is never tidy, or certain or reasonable, and those who try to make it so, once it has become the past, succeed only in making it seem implausible. Among the perceptive observations and shrewd conclusions of the Churchills and Sergeants were the clutters of other reports and forecasts completely at odds with them. All of it, the prescient and the cockeyed, always arrives in a promiscuous rush, and most men in power, sorting through it, believe what they want to believe, accepting whatever justifies their policies and convictions, while taking out insurance, whenever possible, against the truth that may lie in their wastebaskets.

Mr. President, I do not know where the truth lies, only where I believe it lies. I have come reluctantly to the conclusion that Saddam Hussein has no intention of leaving Kuwait; that a nation that has endured hardship of 8 years of war with Iran will not surrender its slaughtered victim to the arms of the international community; that making concessions to those who engage in brutal thuggery—be it by delivering a softly worded letter or Israel on a platter—would not purchase peace.

There might be some brief respite in tensions which would offer the illusion of safety, but it would only reserve conflict for our sons and daughters in the future, conflict that would reach well beyond the spinning wheel of the Middle East.

I do not want our children to inherit the role of the world's policeman. Mr. President, I want even less to leave them a legacy that will make them prisoners of world events.

Mr. President, I intend to support the use of force against Saddam Hussein, and I yield back the time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Hawaii [Mr. AKAKA].

#### AUTHORIZATION OF WAR

Mr. AKAKA. Mr. President, I say to my Senate colleagues, we are at a very grave moment in world affairs. In response to Iraq's brutal and unprovoked occupation of Kuwait, armies around the world have assembled to restore justice and sovereignty to Kuwait.

Along Saudi Arabia's border with Iraq and Kuwait, more than 1 million soldiers are ready for battle. The over-

whelming number of our allied troops are American. Within a matter of days these forces could unleash some of the most devastating and destructive weapons devised by man.

We must decide whether to authorize war against Iraq. The power to declare war is, without question, the most solemn responsibility granted to Congress by our Founding Fathers. This vote is a single most important vote that any of us will cast in this session, and in many, many legislative sessions to come.

If this vote were a referendum on how we feel about Iraq's aggression or its violation of international law, the tally would be 100 to zero. If it were a vote on the appropriateness of the response by President Bush and the world community to Iraqi aggression, or demand for Iraq's unconditional withdrawal from Kuwait, the tally again would be 100 to zero. But these are not the votes we are about to cast. Our vote is whether we commit America to war, a war which could cost the lives of thousands of our service men and women.

I commend the President for his efforts to achieve a withdrawal of Iraqi forces from Kuwait. If Saddam Hussein had devoted half as much time and effort to peacefully defusing this crisis as we have seen from President Bush, the gulf conflict, I would think, would be settled by now. But because of Saddam Hussein's intransigence, the first meaningful discussion between our governments occurred just yesterday. Unfortunately, the meeting between Secretary Baker and Foreign Minister Aziz was not productive. But there is hope for other diplomatic efforts.

I am pleased that both President Bush and Saddam Hussein's Foreign Minister have expressed a willingness to accept the diplomatic initiative of the Secretary General of the United Nations. The Arab League and Common Market countries can also contribute to the peace process.

Frankly, I do not believe that Saddam Hussein will permit the United States to receive credit for a peaceful solution to the crisis in the gulf. But if a successful resolution of this crisis can be achieved with assistance of the United Nations or other countries, that is all that counts.

A diplomatic and political solution to this crisis is far better than a military one. I believe that the diplomatic initiative by U.N. Secretary General de Cuellar must have ample time to succeed.

I cannot support an authorization of offensive action at this time. As long as there is any hope for a diplomatic settlement, I cannot vote to authorize the President to go to war. Diplomacy and sanctions—not war—are the proper course for the United States to follow.

As individuals, we must search our conscience and our souls for a decision

on the proper course to follow. The conclusion I have reached is that an authorization for war is not the right course while diplomatic efforts are still underway.

More than a century ago, an American President stood on the battlefield where 7,000 American lives were lost over a period of 3 days. The place was Gettysburg and the President was Abraham Lincoln.

I am borrowing from his now famous address when I tell my colleagues, "The world will little note, nor long remember what we say here," but they will never forget what we do here today. On this vote, history will record our actions far more than the words we speak today. It will note whether we authorized war or resolved to continue the course of dialog and diplomacy—backed by economic sanctions. As long as there remains a hope for peace, however, slim, I cannot vote to authorize war.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma [Mr. BOREN].

#### THE SITUATION IN THE PERSIAN GULF

Mr. BOREN. Mr. President, no issue which has come before this body since I have been a Member of the U.S. Senate has more deeply troubled me than the one we face today. I sincerely believe that the decisions which we make in regard to the situation in the Persian Gulf could affect the lives of Americans and the role of our Nation in the world for years to come, and certainly well into the next century.

This crisis confronts us with many crucial questions including the most fundamental question of all, that of life and death. We must seriously consider when it is right to place the lives of young Americans at risk. We must confront the question of what powers the President is given under the Constitution as Commander in Chief and what responsibilities the Congress must meet under the provision requiring that Congress shall declare war. We must balance the strong need to show unity and to speak with one voice to the rest of the world at a time of crisis, against the necessity in a democracy of allowing the people themselves to have their rightful voice heard in such critical decisions which affect the future of us all.

We must ponder how all of the changes in the world including the end of the cold war and the rise of economic competition as the main determinant of national strength affect what we should do. One thing is clear, the greatest threat to our security in the long-run is our potential failure to change our thinking to coincide with all of the changes in the world around us. We must weigh the benefit of spending our limited tax dollars to reinstate the Government of Kuwait against the benefit of spending those same dollars

to restore our economic strength at home through increased private investment in productivity and public investment in education and infrastructure. Which choice in the long run will do more to ensure America's strength and leadership in the world?

None of these choices are easy to make. This is one of those times in which each of us alone, and in conscience, must make a decision based solely on what we think is best for America. This is one of those situations in which it would not be morally right for any of us to try to pressure our colleagues for political or partisan reasons to vote one way or the other.

I do not think that anyone here would dispute that I have consistently supported in a bipartisan way our Presidents in times of crisis and supported the use of force to protect our national interest when necessary. It is also known by our leaders and by the White House that I have done my best through private communication to affect policy in this area. Only the strongest feeling of obligation to my country would cause me to publicly urge a change in the President's policy. I feel such an obligation at this time.

I also feel that Congress has no choice but to have this debate at this time. We have no option, if we are to perform our constitutional duty. As Senator SAM NUNN has said, there are many gray areas in conflicts where Congress has permitted and supported military action by the President as Commander in Chief without explicit authorization or a declaration of war. I have supported such action in the past in places like Grenada, Libya and Panama. Had the President acted to destroy by targeted strikes the chemical, nuclear and biological warfare facilities of Iraq, I would have fully supported that action without a declaration of war. But as my colleague from Georgia has indicated, ordering more than 400,000 American troops into battle to restore the previous government in Kuwait is no gray area. Clearly if the constitutional provision requiring Congress to declare war is to have any meaning at all, it is applicable to this situation. There is no way therefore that we can duck or dodge our own responsibility. We must do our duty under the Constitution.

If war does come I will support our troops 100 percent and vote to provide anything they need to achieve victory as quickly as possible. While we may have our differences of opinion in this Congress about how to proceed, Saddam Hussein and indeed the entire world should, by now, have the clear message that if war does come, Americans will unite for total and complete victory. We want no more Vietnams and we will not fight with one hand tied behind our backs.

However, I cannot at this time in conscience vote to initiate a full scale

war to restore the Government of Kuwait if 90 percent of the risks and 90 percent of the burdens will be borne by America while other nations like Japan and Germany sit on the sidelines not doing their share. The lives of young Americans are the real treasure of our Nation and our most precious possession. They should be put at risk only for some urgent national interest or great cause. I do not believe that restoring the Emir's government in Kuwait is vital enough to America's national interest to potentially risk thousands of lives and billions of dollars while others have made only a token contribution to the effort. Restoration of the Government of Kuwait ranks far down the list of priority interests for our country, certainly below the protection of Saudi Arabia from invasion and the release of American hostages, both of which have been accomplished and the destruction of Iraq's chemical, nuclear, and biological capacity which can be destroyed by methods short of a major ground war.

Before we act, we must think long and hard about the end result of our actions if we are to intelligently decide whether the costs outweigh the potential benefits.

While all of us hope that any war would be short, decisive, and with few casualties, there is also a considerable risk according to most experts I have heard in both open and close classified sessions that it could last for months rather than for days and could be extremely costly. While we hope and pray that it would not be the case, we are obligated to ask ourselves if such a war is in our national interest, if it does end up costing us thousands of casualties and tens and perhaps hundreds of billions of dollars. Estimates of the financial costs of all out war range as high as \$1 to \$2 billion per day. If such a scenario developed, we could end up with our Nation badly divided because of the loss of life, suffering from a new wave of isolationism, and \$100 billion or \$200 billion more in debt. That would mean that if nations like Germany and Japan did very little, we would be even further behind in our ability to compete with them in the future. We could end up fighting a war and sacrificing precious lives and spending scarce dollars in a way that promotes Japanese interests, for example, more than our own.

Not only is it not prudent for the United States to bear so much of the cost by itself, it is not right. Japan obtains 70 percent of its oil from the Persian Gulf and we get only 13 percent of our oil from the region. Why should we bear a greater burden than they do for establishing a new world order which polices aggression around the world and protects the stability of the Middle East? It is sometimes said that the cold war is over and we are the only remaining superpower in the world.



While it is true that we were the only nation able to respond quickly enough to prevent an invasion of Saudi Arabia, we are ourselves not a superpower in the sense we were in 1950 at the beginning of the cold war. At that time, we had 70 percent of the world's wealth and 70 percent of the world's markets, 9 of the 10 largest banks in the world, and the highest per capita income in the world. Today, we have none of the top 20 banks, a lower per capita income than Japan and a potentially smaller market than the new European common market which comes into place in 1992.

We must realize that our resources are limited. If we spend up to \$200 billion while others do not help us, that is money that will not be available to spend on investment by the private sector to restore our economic strength and productivity. It will not be available to spend on our educational system and infrastructure. That money will not be available to spend to solve the social problems which erode our strength and our ability to compete with the rest of the world. We must ask ourselves whether spending this money to return the Emir to Kuwait will do more to create a strong America in the 21st century than investing it to rebuild our strength at home.

Before we act, we must also consider the ultimate effect of our actions in the Middle East, as well as in America. If Iraq is totally destroyed, a power vacuum will develop which will be filled at least in part by Syria and Iran. These nations could hardly be described as guardians of American interests. In addition, large numbers of civilian casualties caused by American military actions could engender strong anti-American feelings which could undermine support for pro-American Arab governments in their own countries.

There is another disturbing element of the current situation, Mr. President, that should be addressed at an appropriate time, not in the heat of this crisis. If war comes, some Americans will end up bearing far more of their fair share of the sacrifice than others. Very few of those in leadership positions in our country including Members of Congress and members of the Cabinet, have children or grandchildren serving in the Middle East. Most of the troops come from middle and lower income families. Many join Reserve or National Guard units because they must supplement their living or educational expenses. We must make sure that we always remember that even if our own children are not there, those troops have mothers and fathers and husbands and wives and children who love them just as much as we love our own children. At some point in the future, we should ask ourselves if it is healthy for our Nation that when a crisis comes, Americans from all walks of life do not

bear the same amount of risk. In World War II, by contrast, we were all in it together.

As I said at the outset, at a time like this we must forget whether we are Democrats or Republicans and speak as Americans. I do not rise for the purpose of criticizing our President. He is a good and decent man who is doing his best to bear a terrible burden for all of us. No one can possibly understand the full nature of the responsibility which he must feel. The President deserves great credit for what he has already achieved. Because of his decisive action, Iraqi aggression has been stopped, Saudi Arabia has not been invaded, and our hostages have been freed. I would fully support additional actions by the President to target and destroy Iraqi chemical, nuclear, and biological facilities, and I believe that the President could act lawfully as Commander in Chief to hit such limited targets without explicit advance congressional authorization.

We must remember as we confront the current situation that patience and containment have proven their value in the past. It was containment that eventually brought down the Communist bloc without a nuclear war. Because of our show of strength, Iraq's military advance has been totally stopped and it is growing weaker every day because of the most effective economic blockage in this century.

I support the pending resolution because it makes it clear that we support many of the actions taken by the President. It explicitly authorizes the use of force to enforce economic sanctions, to defend Saudi Arabia and to protect our troops. It provides the President with a procedure under which he can be assured of a quick response from Congress if he requests authority to wage war.

It also urges the President before launching a full-scale war to restore the Government to Kuwait, to give more time for economic sanctions to further weaken Iraq. As Chairman of the Senate Intelligence Committee, I have carefully monitored the effect which sanctions are having on Iraq and Saddam's government. Experts in the intelligence community have drawn varying conclusions of their own, but they all agree that from a factual point of view, Iraqi exports have been stopped virtually 100 percent. Imports have been cut by 90 percent. The GNP has been cut in half. Hard currency will soon be totally depleted because there are no earnings from exports. This means that they will soon not be able to pay for the small trickle of items now being smuggled into the country. The press has reported that food rationing coupons are now redeemable at lesser amounts of food than was the case a few weeks ago. Motor oil, transmission fluid, and lubricants are clearly in very short supply. While experts

may differ as to whether sanctions alone will force Saddam out of Kuwait, none of the experts, not a single one, has disagreed that as each day passes with sanctions in place, Iraq will become weaker. All of the experts have also indicated some deterioration of military capacity as well. Even if we do decide to ultimately fight, it would be better to fight a foe which has been weakened further than to launch an immediate full-scale attack. Since we have already waited this long to act instead of fighting soon after the arrival of our forces, it makes sense to give sanctions more time to weaken our adversary.

In addition, this resolution correctly urges that the contributions from other nations be substantially increased before we act. Burden sharing is not a minor issue. What others are willing to contribute has a great bearing upon the price we ourselves should be willing to pay.

While I commend the President for seeking U.N. support for his actions and while international support for sanctions is unprecedented, international burden sharing of military risks and costs has fallen far short of what is required. I am not impressed, for example, that Japan would be in favor of the United States acting to pay most of the price to protect its oil. It is not surprising that other nations would gladly hold our coat while we make the world safe for them. We need far more than a willingness just to hold our coat before we proceed.

Mr. President, this resolution, imperfect as it is, deserves to be passed. It meets our constitutional responsibility to participate in the ultimate decisions of war and peace. It supports the President's earlier decisions. It does not limit future options, including the use of all out military action against Iraq if conditions merit it. It leaves the President completely free to take action as Commander in Chief necessary to protect our troops.

Finally, and most important, as we weigh this decision which must be made, as we assume our own individual responsibility for being a part of that decision—and let us be clear about that, each one of us has to realize every Member of this Senate is participating, either by speaking out or by remaining silent on the ultimate decision which will be made—we must never forget that we are dealing in precious lives and not in statistics. We cannot cite that statistic, 400,000 in the Persian Gulf, without realizing that we are talking about 400,000 precious young Americans loved by their families and by their neighbors and cared for by all of us.

Last fall, I saw off to Saudi Arabia the members of the National Guard unit from my home county which I commanded several years ago. It is now

composed of the sons and daughters of many with whom I served.

I could call by name 80 percent of the families that were represented in that Guard unit. They are not strangers. They are my neighbors. I know them. They are real people to me. They are not statistics. They are people who in my county we love and we care about. I am proud of their courage and their love for this country.

They are carrying on the historic tradition. Oklahoma Thunderbirds have served valiantly in many wars in this country. I shook hands with each and every one of them as they departed, as they loaded the vehicles to be taken to the aircraft to be transported to Saudi Arabia.

As I shook hands with each one and looked into their faces, I vowed to myself that I would do all that I could to see to it that their lives would be put at risk only if it became absolutely necessary, and to support them completely if war does come. By my actions, I intend to keep that pledge. I will think of them, and of all of those who serve with them in Saudi Arabia every day until this conflict is ended and so shall we all. Our prayer is that God will bless our country and our President and that he will be with our brave men and women in Saudi Arabia and bring them safely home to us when their task is done.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Dakota [Mr. DASCHLE].

#### OUR POLICY IN THE PERSIAN GULF

Mr. DASCHLE. Mr. President, let me begin by commending our distinguished colleague from Oklahoma for a very moving, very personal, and very compelling statement. He speaks for many of us as he relates his personal experiences in Oklahoma.

I rise, as so many of my colleagues have already throughout today and tonight, to express my personal concerns as we debate our policy in the Persian Gulf. I would like to address each of them as we consider the Senate's position on the resolution before us now.

My first concern is the purpose given our presence in the gulf. The President and members of his administration have listed six specific reasons for U.S. presence there. Before they were released, it was the protection of our hostages, it was to stop a tyrannical dictator, to stop the spread of nuclear weapons, to protect our allies. Secretary Baker in Canada once said that it all boils down to jobs, the fifth reason, and, of course, the last is oil.

Each of these purposes have merit, but it is the consideration of each purpose and our ultimate goal as it relates to that purpose out of which by necessity we must now dictate our strategy. Do our purposes for being in the gulf merit consideration of and support for

the President's currently employed strategy? My answer is definitely yes. Do our goals sufficiently argue for the use of strong economic sanctions? My belief and the belief of the vast majority of the American people again is "Yes." Do those goals demand the utilization of every diplomatic option available to us? Again, the answer is "Yes," emphatically "Yes."

But do these goals qualify as sufficient reason to suffer the tragic loss of American life, especially before we have exhausted every available alternative? My deep conviction is no. No, they do not. I cannot look my 17-year-old son or 19-year-old daughter in the eye and say, "Moving Saddam Hussein out of Kuwait, obtaining the necessary oil from the Persian Gulf, protecting our allies, or saving jobs is worth your life." I cannot say that. If at this time I cannot say it to them, how in the good conscience can I say it to a mother or father, how can I say it to a sister or a brother?

My second concern is how this all may be interpreted both at home and abroad. In spite of conflicting signals which a debate of this kind may send, it is most important—in fact, I will say it is probably the most important debate any country can undertake, that of initiating or preventing war. And while in dictatorships around the world one man can commit thousands of his countrymen to their fate, in a democracy the weight of that decision falls upon all of us elected to do it in this manner, with the proper consideration of facts and the views of all of our people. And in this case there is virtual unanimity in regard to our purpose and to our goals. That needs to be emphasized and restated without qualification.

The debate now relates to the appropriateness of a proposed strategy, not our stated goals. Nor should this be interpreted as an effort to undermine the President, as the Senator from Oklahoma has so eloquently stated. That is not our intent. We would not have remained silent on this floor for 6 months, even during an election, had someone attempted to undermine the President. This is a constructive debate about two strategies, both proposed by the President, one which is implemented and one which may be. And for many the debate is not even over the propriety of the second strategy, only the timing.

My third concern as we debate this is we, for the most part, are doing it alone. I am pleased at the actions taken by the United Nations. I sincerely hope that we rely upon the United Nations for even more opportunities in the future. Certainly, their actions in the past 6 months have demonstrated, even to the most ardent cynic, the importance of the United Nations now and in the future. Its involvement in the decisions on sanc-

tions is laudable. As we speak, the Secretary General of the United Nations seeks yet another opportunity through diplomatic means to find solutions and ultimate success in the Persian Gulf. And he is heartily to be commended.

My concern lies with some of its members and their lack of similar involvement and commitment to our efforts in the Persian Gulf. Where are they in this crisis? Why are they not more willing to commit resources and personnel?

I just returned from South Dakota. I had an opportunity to visit with many of my constituents about our policy in the gulf. They are equally as concerned about "the balance of sacrifice" we have talked about a lot today. They continue to ask questions for which I can find no satisfactory answers: Why cannot the sacrifice be commensurate with position? Why cannot the sacrifice relate to the financial conditions of the respective countries involved? Why can it not relate to the dependence upon oil in the gulf or to the threat of the respective economies?

One constituent relayed a conversation that he had had recently with a European businessman. When asked why Europeans were not willing to commit troops, their answer was immediate: "We clearly put a higher value on life than you do. Your murder rate, your death rate, your birth rate proves that."

I do not believe that for a minute. I do not believe that. But I cannot help believe that that may have been a factor in their unwillingness to send troops to the gulf. And even in the consideration of their votes in the United Nations, why not vote to use all necessary means when it is not your troops, it is not your sons and daughters who are going to be sent?

My fourth concern is the rationale for changing our course right now. To date, the President has not indicated that the embargo is not working. If it was not working, it would have been terminated. But every indication is that, when it comes to creating economic pain and military vulnerability, it is working today. It has been working the last several months.

Numerous references have been made to considerable expert testimony before the committees of Congress, including that of CIA Director Webster, that the embargo has been a success. Has it been a 100-percent success? No. Has it stopped military parts from coming into the country? Absolutely, yes. Has it cut off their economic viability? Absolutely, yes. Will it continue to hurt them in ways beyond that which we can calculate today? Absolutely, yes.

So if it is working and there is a reason to believe that over a period of time it can succeed, is it not in our best interests to determine its success or failure before we subscribe to an al-



ternative strategy? It seems a win-win proposition to me. Either the embargo succeeds and Iraq withdraws from Kuwait or it fails, and as a result of a significantly weakened position Iraq becomes even more vulnerable to a military confrontation in the future.

The administration argues that a prolonged effort to sustain the embargo will fracture the coalition, that the coalition will split apart, should it take too long. Should that be the case, I have two questions. What does that say about our purpose? Are the coalition partners then saying that the costs of sanctions is greater than the costs of an Iraqi presence in Kuwait? If so, what about the cost of war? Second, if we cannot therefore sustain a coalition in peace, does anyone truly believe that we can sustain a coalition in war?

That leads me to my final concern. My final and greatest concern is that in separating my opposition to a strategy in the gulf from my support not only for our goal but most importantly to our men and women have been sent there, our commitment must be to them regardless of strategies and goals. They are the most important thing in the world, more important than oil and dictators, than politics. They are our family. They are our brothers and sisters. They ought not merely be my concern but the concern of our policy whatever we decide.

Clearly they are the concern of our country. And for heaven's sake tonight, tomorrow, or the next day as we debate this issue they ought to be uppermost in our minds. There are commitments we owe these young Americans, before, during and after we order them to war.

We owe them everything. Should this Nation go to war I will have a lot more to say about our commitment then. Suffice to say we cannot under everything that is right ask them to fight without using every conventional means available to them.

When they come home, we owe it to them to provide every attention to health care available to us. That includes the benefit of the doubt if chemical or biological harm may occur to them 20, 30, or 40 years hence. Remember that they are going to come home with wounds we cannot see because the last veterans came home with wounds we cannot see.

It is ironic that as we debate providing victims of the last chemical warfare just compensation we now find ourselves with the prospect of sending more men and more women to this same fate. That, too, is something about which I will have more to say at a later date and at another time.

But let me reiterate. This Nation owes these men and women our strongest commitment during and after they go to war, just as we expect that they must give their very best should they

go to war. So must we now commit to doing our very best before that war.

It is this concern which has led me to come to the conclusions I have. The question is before we commit to war, has their Government done its very best? If we are going to ask them to do their best, have we done our best before we say now is the time?

To that simple question there is a complicated answer. Yes, the President has done his best in involving the world community in joining us in the effort. I use the word "joining" because I view joining and participating as two different things. While our coalition partners have joined the United States in its effort, many have yet to effectively participate. Yes, the country has done its best in coordinating the embargo, perhaps the most effective embargo in modern history, but have we done our best in other respects?

I believe that we have yet to do our best in determining the success of that embargo. Who among us can say with any confidence that the embargo will fail? If we cannot say that, how is it even possible to consider the loss of even one American life before we assure the young men and women who may lose their lives that we have done our best to ensure the success of this option before we resort to war?

We have also not done our best when it comes to diplomacy. Six hours of talk with the Iraqis after 6 months of confrontation is not doing our best. To say we will not talk on this or that day, we may not travel to this or that city, that is not doing our best.

Nor is it doing our best to set artificial deadlines. No one has yet explained the significance of January 15. What is it about that date that is worth one American life? What do we tell the families of those who may lose their lives on January 16 but whose lives could have been saved had we waited until April or July or October? If we can save an American life by waiting until another day, yet still succeed in removing the Iraqis from Kuwait, is not that worth a life to do?

At some point we have to ask ourselves have we done our best in financing this conflict? Financing it? Have we succeeded, have we done our best in obtaining the financial assistance from others? To the degree we fail we must ask ourselves how is it that we intend to pay for our presence there? Certainly we should not be relegated to borrowing the resources for a cause so worthy that we are not prepared to send our best into combat. If we demand from them the courage to fight, then we ought to demonstrate the courage to find the means to pay.

Therefore, Mr. President, one must ask can we really look these young men and women in the eye and say, yes, yes, we have done our best? We have done our best diplomatically. We have done our best economically.

Therefore, now we ask you to do your best in war. The President must think so.

Many of my colleagues do so, too. But I have concluded that we have not. Nor do I have the confidence that we in the Congress in particular have done our best to address these concerns prior to committing our families to war.

So today, tomorrow, and for the foreseeable future, we can only insist that we do so, that we consider every diplomatic option available to us and to others; that we enforce the embargo and monitor its success; that we determine that success before we commit to war; and that before we commit to war we ensure that all of our coalition partners commit their people, too.

Above all, Mr. President, let us be convinced beyond the shadow of a doubt that our purposes and our goals adequately demand the loss of American life.

Only then, Mr. President, have we done our best. Only then are we prepared for war.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I am submitting a statement on the situation in the Persian Gulf by Senator CRANSTON who, as Members know, is undergoing treatment for cancer at Stanford University Hospital. I ask that Senator CRANSTON's remarks appear at this point in the RECORD.

The remarks of Senator CRANSTON follow:

#### THE PERSIAN GULF

• Mr. CRANSTON. Mr. President, it breaks my heart that I cannot be present to participate in this stage of the gulf debate in the Senate.

I believe there is no acceptable level of casualties as long as there is a choice between war and peace, and while the alternative of international sanctions is available.

I urge President Bush to abide by the Constitution and to refrain from any offensive act of war until and unless Congress votes to declare war. •

FORMER SECRETARY OF STATE CYRUS VANCE COUNSELS PATIENCE AND RESOLVE AS WAY TO SUCCESS FOR U.S. POLICY IN THE PERSIAN GULF

Mr. PELL. Mr. President, on January 8, with just 1 week remaining before the deadline set for possible military action against Iraq, our distinguished former Secretary of State, Cyrus Vance, presented especially compelling testimony to the Foreign Relations

Committee calling for patience and resolve, economic sanctions, diplomacy, and a substantial military presence as the means to cause Iraq to withdraw from Kuwait without a war.

Cyrus Vance was Secretary of State through most of the Carter administration, resigning at the time of the unsuccessful military effort in the desert to free the American hostages in Iran. He earlier served in senior positions in the Justice Department and the Pentagon, and as one of our principal negotiators with Averell Harriman in the Paris peace talks on Vietnam. No American has more experience and credibility to counsel us on the most serious issues of war and peace.

As Secretary Vance said in his statement, the military and diplomatic challenge facing us in the gulf "is truly a defining event. What happens in the Persian Gulf can set a course for our engagement in the outside world for years to come."

One of the many important points discussed by Secretary Vance with the committee was the need to focus on what would happen in the Persian Gulf region in the aftermath of military conflict. I share his concern that the consequences of military action would be most serious whether war results in victory or defeat.

Secretary Vance expresses the hope that our policy should not be driven by a "calendar deadline." He also states that "both common sense and the Constitution require prior congressional approval of any decision to take our country to war."

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

#### TESTIMONY BY CYRUS VANCE

Mr. Chairman, I welcome this opportunity to appear before you, today, to testify about the most important political, military and diplomatic challenge to face us since the end of the Cold War. This is truly a defining event. What happens in the Persian Gulf can set a course for our engagement in the outside world for years to come.

It is critical that we discuss these issues before the American people. In the era beyond the Cold War, we are groping toward a new definition of our role in the world, one that can command widespread support at home and abroad. At this time, it is vital that we move forward as a nation united, not divided. Both common sense and the Constitution require prior Congressional approval of any decision to take our country into war.

Mr. Chairman, in my judgment, if we and our United Nations partners maintain our patience and resolve, economic sanctions, diplomacy, and a substantial military presence can over time cause Iraq to withdraw from Kuwait without a war.

Under the President's leadership, progress has been made in containing the Middle East crisis. The threatened invasion of Saudi Arabia has been blocked; an unprecedentedly successful embargo and blockade has been put into place by a broad international coalition in the United Nations; and the hostages seized by Saddam Hussein have been freed.

Each day, however, we hear continuing talk of going to war if Saddam Hussein does not comply with the UN resolutions by January 15th.

We will make a grave mistake if we fail to resist the temptation to initiate offensive action at this time. Sanctions are working and the blockade and embargo are biting. This policy must be given a chance to prove itself and not be cut short by offensive action initiated by the United States. If we act precipitously, we will find ourselves virtually alone in a bitter and bloody war that will not be won quickly or without heavy casualties, most of whom will be American soldiers, sailors, and airmen. Moreover, even if we should launch a "winning war" under the banner of the UN resolutions, the aftermath of the conflict would likely confront the United States with rampant Arab nationalism, corrosive anti-Americanism and widespread instability and turmoil throughout the Middle East. Having "won" the war, we might well find ourselves and our partners worse off than we were before we began.

It is much too early, I submit, to conclude that the current sanctions strategy will not work. I agree with Admiral Crowe and others who have testified before this Committee that we must give sanctions a real chance, even if it takes a year or more, and I urge patience and perseverance in pursuing this prudent and wise course of action.

I believe that we should refrain from attacking Iraq and should explore political initiatives consistent with the standard that Iraq must not benefit from its aggression. To this end, we and our partners should be prepared to discuss with Iraq at the most senior government levels what may follow after Iraq's total withdrawal from Kuwait.

Mr. Chairman, in this connection, it is important to focus in general terms on what might follow total withdrawal in accordance with the existing UN resolutions.

Let me mention, by way of example, some of the issues that would be appropriate subjects for discussion during the meeting between Secretary Baker and Minister Tariq Aziz. For example, Secretary Baker has already said that when full withdrawal takes place the United States will refrain from any military action against Iraq. In addition, President Bush announced in his October 1st speech at the UN General Assembly post-crisis support for regional efforts "to build new arrangements for stability and for all the states and the peoples of the region to settle the conflicts that divide the Arabs from Israel." By contrast, it seems evident that it will be necessary to keep in place existing sanctions restricting the sale of military equipment and materiel to Iraq, with particular emphasis on chemical, biological and nuclear weapons. Similarly, it is logical to follow the practice established during the Iranian hostage crisis of maintaining sanctions relating to frozen Iraqi assets in order to provide a pool of funds to meet Kuwaiti claims for reparations for war damage. I emphasize that these are appropriate topics for discussion now but not for resolution until Iraq withdraws from Kuwait.

As to current initiatives on the part of our partners, we should welcome third-party diplomatic efforts—by the European Community, by moderate Arab states, by the UN, and by others—as positive contributions to the peace process. We should neither fear nor resent them. What will be important is that, during such efforts, we and our UN partners maintain our solidarity and continue to apply pressure through our current progressively successful and winning containment/

sanctions strategy. If we do that, third-party diplomacy can be helpful and should be encouraged.

More broadly, the Persian Gulf crisis has dramatized a simple truth: after Iraq leaves Kuwait, the world must take decisive diplomatic action on many festering issues in the Middle East. No one can want or afford constant threats to Gulf stability, an unending Arab-Israeli conflict, and Lebanon's continuing tragedy. But breaking the region's cycle of turmoil will require committed, skillful diplomacy, and political insight and courage on the part of the United States and the region's major parties.

The dismaying regional problems are, however, matched by challenging opportunities. For the first time, the United States and the Soviet Union are on the same side in a Middle East crisis. The Soviets are restoring diplomatic relations with Israel and are moved by their need for Western economic help to play a constructive Middle East role. The European allies are giving support to US Middle East policy, while Washington has put together a broad coalition of Arab and Moslem states. And the United Nations is beginning to meet its founders' aspirations.

For the post-withdrawal period, new arrangements for stability cannot be designed just in Washington; they also require active participation by regional nations. To avoid a political backlash from Arab nationalism, the West's role must be secondary. It can buttress regional security arrangements, but it cannot substitute for them. Whether acting alone or through the Arab League, Arab states need to play a central role. Once Kuwait is liberated, a combined Arab-UN peacekeeping force should be deployed in Kuwait and the Gulf Cooperation Council should be given strong Western support.

As I have said, outside powers must agree to limit the arms flow to the Middle East with top priority being given to containing and ultimately eliminating chemical, biological and nuclear weapons. I believe preparatory work could begin now toward a convention to accomplish this. Countries are ready now to face up to this task as they may not be again. Indeed, both Arab and Israeli leaders have already called for a regional conference to reduce weapons of mass destruction.

The aftermath of the Persian Gulf crisis must also produce decisive progress in Arab-Israeli peacemaking. Today, old patterns of regional relations are breaking up. Egypt has been fully readmitted to the Arab fold. Syria, which is responding to US leadership in the Persian Gulf, might be brought to forswear its role as a "confrontation state." After this crisis, Saudi Arabia and the Persian Gulf Arab states will owe the United States forbearance—and hopefully active support—for peacemaking diplomacy. The Palestinians and their leaders must now understand that they can secure their interests only through direct diplomacy with Israel. And Israel must recognize that crisis anywhere in the Middle East threatens its security, which can only be gained through wholehearted commitment to the peace process.

At an appropriate time following Iraq's withdrawal from Kuwait, both tasks—building security in the Persian Gulf and Arab-Israeli peacemaking—should begin with an international conference, including all regional parties and the permanent members of the UN Security Council, convened either by the Secretary-General of the United Nations or, alternatively, under the bilateral sponsorship of the United States and the Soviet Union.



In the past, there has not been enough common interest to permit such an ambitious undertaking. For years, the United States was skeptical about an international conference on Arab-Israeli peacemaking because of fear of opening the way to Soviet troublemaking and the isolation of Israel. But the shock of the current crisis, change in Soviet policy, and America's new influence with key Arab states offer a chance to recast old conflicts. This can become an auspicious time to drive for a solution—not just to the Arab-Israeli struggle but also the problems of regional security, border disputes, and the Lebanese civil war.

It is now that the United States, its Western allies, its regional partners, and the Soviet Union must begin crafting tomorrow's answers to today's complex and difficult problems. The world might not get a chance like this again.

Before closing, let me add a personal note about the process of decision-making. Unless something changes, I fear that the President and the Congress are presently on a collision course which could jeopardize American interests and the long-term chances for peace and stability in the Middle East.

For the Executive Branch's part, I would hope that policy would not be driven by a calendar deadline. Rather, policy should be driven by a careful and balanced assessment of American interests in the Gulf and our long-term goals there. We must not open a door—particularly a door which might lead to war—without knowing what would happen then, and how we would close that door. Whatever final course the Administration proposes, it should remember that Congressional support must be secured in advance. Unilateral Executive action would not only be unwise but also unconstitutional.

The task now is for both branches to cooperate constructively to be sure that the road finally taken is one shared by the President and a Congress which has acted as full partner.

Mr. Chairman, before concluding, let me step back from my role as former government official and speak as an American citizen, veteran, and parent.

We tend sometimes to depersonalize international events and to carry on our discourse in abstract, arms-length terms. In one sense, of course, that always will be necessary.

Yet, in a figurative sense, there are millions of Americans here in this room with us today. I mean not only the young men and women whose lives are at risk in the Persian Gulf but also their families, their neighbors, and ordinary citizens who want their country to do the right thing. They badly need to hear plain talk from their elected leaders and from those of us who have been privileged to serve in senior appointive positions.

In my judgment, we would fail those millions of Americans were we to take a premature decision to commit to offensive action in the Gulf without first having exhausted every avenue short of war.

I hope I have made clear that I believe our objectives in the Gulf can be met by a continuation of the current strategy of containment and sanctions until Iraq is squeezed sufficiently to withdraw from Kuwait. But I also want to make clear my belief as a citizen that we risk in our country a divisiveness as heated as we experienced during the later stages of the Vietnam War if the American people were to conclude that we had acted hastily or without due regard for the Constitution in committing our troops and our treasure to war in the Gulf.

#### THE GULF CRISIS

Mr. HARKIN. Mr. President, I commend to the attention of our colleagues a statement recently made by Senator BROCK ADAMS before a conference of the Washington-based CATO Institute on the Persian Gulf.

Senator ADAMS has joined me in introducing Senate Resolution 8, which reaffirms that the Constitution gives the Congress—and the Congress alone—the right to authorize offensive military action in the Gulf. And along with my colleague from Washington State, we pressed the Senate, on the first day of session, to start debating the issue of whether our Nation should go to war.

In late November the U.N. Security Council, at the urging of the Bush administration, approved a resolution authorizing the use of force to remove Iraqi troops from Kuwait. So far, the President has resisted seeking the approval of the Congress.

More Senators like BROCK ADAMS should speak out so that we can stop our country from going to war in the Gulf before sufficient time is given the U.N.-endorsed economic sanctions to work.

I ask unanimous consent that the statement of Senator ADAMS be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE GULF CRISIS: A MANDATE FOR CONGRESSIONAL INTERVENTION—JANUARY 8, 1991

I want to thank the Cato Institute for inviting me to speak before today's luncheon on the situation in the Persian Gulf. I have long been interested in the work of the Cato Institute. On foreign policy matters, I've found that Cato takes conservative assumptions and comes to liberal conclusions. The Persian Gulf is one case where liberals like myself and conservatives like Cato can agree.

Events of the past week have shown that the situation in the Gulf has brought our nation to the brink of a constitutional as well as a military crisis.

Traditionally, the new Senate begins its routine business after the President's State of the Union Address later this month. But these are not normal times. Soon there will be some 430,000 American troops in the Persian Gulf. There is the date of January 15, set by the UN Security Council at the request of the United States, after which member nations are allowed to use force in order to remove Iraqi troops from Kuwait.

This situation calls for urgent action. The Senate, sometimes called the world's greatest deliberative body, must debate the question of war before the first bullets fly.

Like it or not, the entire world has set its clocks to the Administration's January 15 deadline. For this reason, following introductory ceremonies, Senator Harkin and I pressed the Senate to begin debate immediately on whether our nation should go to war in the Persian Gulf.

We should consider this matter now so that we have the time to debate and so that we can overcome a filibuster in the Senate.

Article I, Section 8 of the Constitution places the duty on Congress to declare war

and raise monies for our armed forces. The deliberations of our Founding Fathers leave no doubt that the Constitution delegated war-making powers to Congress.

President Bush may have lost patience with Saddam Hussein. But the Founding Fathers were not seeking efficiency when they established the principle of separation of powers. James Wilson, one of the participants at the Constitutional Convention, said: "This system will not hurry us into war; it is calculated to guard against it."

War is such a momentous decision that the drafters of the Constitution required that this matter should be decided by all the elected representatives of the people, and not left to the executive alone. James Madison confirmed this intent when he wrote that "in no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature and not to the executive department."

Mr. Bush should heed the wisdom of one of the founder's of his own party, Abraham Lincoln. As a Congressman, Lincoln wrote that the Framers intended that "no one man should hold the power of bringing this oppression"—of war—"upon us."

But with this right comes responsibility. Regrettably, over the past four decades, Congress has rarely had the courage to exercise that right.

In 1950, President Truman took us into the Korean War, and in 1965 President Johnson led us step by step into the Vietnam War, and President Nixon kept us there. Each President acted without appropriate authorizations from Congress.

In 1973 Congress tried to supplement its war-making powers by passing, over a presidential veto, the War Powers Act. But it hasn't helped. In 1983, President Reagan committed U.S. troops in Lebanon and ordered the invasion of Grenada. In 1986, he sent U.S. bombers to attack Libya. A year later, U.S. ships faced Iranian mines in the Persian Gulf, this time in defense of Iraq's ally, Kuwait. Thirty-eight American soldiers lost their lives in the Gulf to an Iraqi missile.

And in 1989 President Bush invaded Panama—all without Congressional authorization.

These Presidents have violated the Constitution, and in each case, Congress has been complicit in the erosion of its rights. Now in this new era, Congress has the opportunity to reassert those rights.

The Bush administration has already staked its claim on the post Cold War world. President Bush and Secretary Baker believe that American military might can shape a new world order. In the words of James Baker, "only American engagement can shape the peaceful world that our people so deeply desire."

The Persian Gulf is the first test of this new order. But I don't think that American military muscle policing this order should be the waive of the future.

Tactically, the administration has been brilliant at times, particularly in securing UN support for Desert Shield. But the President is making serious mistakes in laying the foundations for this new world order by creating through executive fiat, and without Congressional approval, an offensive force ready to wage war in the Gulf.

This order has forgotten the Constitutional limitations on presidential power and the separate authority conferred on the legislative branch. President Bush appears to consider thwarting aggression in the Gulf

more important than upholding the Constitution at home. By defying the Constitution, the President is forfeiting his most powerful argument against Saddam Hussein.

Furthermore, Mr. Bush seems more comfortable deferring to the UN Security Council, rather than the US Congress, for the authority to launch a war against Hussein.

I strongly disagree.

I believe that the Constitutional principle so carefully crafted by Hamilton, Madison, and others are just as valid today as they were two hundred years ago.

I believe that the new order must be built on the foundation of domestic as well as international law.

I believe that in the new world, as well as in the old one, neither the United Nations nor the President of the United States can take our country into war. The Congress alone has that authority.

George Bush has staked this new order, our nation's prestige, the lives of 430,000 Americans, as well as his presidency, on the use of force to challenge Iraqi aggression in Kuwait.

He's also challenged the Congress. If we fail to exercise our war making powers now, we risk losing that right permanently.

Our challenge is whether we have the courage to force President Bush to come before us and the American people and justify war in the Gulf. So far, I don't believe the President has made the case.

The American people have read the President's lips, but they're not persuaded that we should resort to war now. The U.S. has already achieved two of its original three objectives in the Gulf—stopping Hussein's further aggression and releasing the hostages. The last goal—forcing Hussein from Kuwait—can be achieved through sanctions \* \* \* if they're given sufficient time.

The administration's policy toward Iraq—both before and after August 2—has been neither clear nor consistent and has lacked both vision and long-range planning.

Two years ago, the U.S. risked American lives to reflag Kuwait tankers, which at the time were supplying Iraq in its war with Iran. When Hussein used poison gas against his own people, in violation of international law, the United States did nothing.

Last July, I joined the Senate in overwhelmingly approving sanctions against Iraq. The State Department just as vehemently opposed them.

And on July 27, when asked about U.S. policy toward disputes between Iraq and Kuwait, our Ambassador to Baghdad, April Gillispie, told Saddam Hussein that the United States took no position on territorial disputes between Arab countries.

Five days later Iraqi forces entered Kuwait.

Just as we did with Panama's Noreiga, a U.S. administration has allied itself with, aided, and shared military intelligence with Hussein because of his stance against our enemy at the time, Iran. President Bush is now repeating the same mistake with Syria's Assad.

The administration has been just as shortsighted in calculating the economic costs of its Gulf policy.

With the additional deployments, Operation Desert Shield is expected to cost nearly \$37 billion over the next year.

Our allies' pledges cover less than a third of the costs. Yet they will reap most of the benefits of our policy. Saudi Arabia, whose territory some 430,000 Americans are risking their lives to defend has pledged \$4 billion. That's only a fraction of the \$60 billion in oil profits the Saudis expect to make over the next year.

The Kuwaitis have sent \$2.5 billion, less than a year's interest on the \$100 billion in reserves they have deposited around the world.

Germany, which is more dependent on Gulf oil than we are, has pledged \$870 million. And the Japanese, who receive 70 percent of their oil from the Gulf, have offered \$2 billion but so far they've given us less than \$400 million.

The Congressional Budget Office now predicts that this year's budget deficit will total \$320 billion. Will we be asked to tack on another \$25 billion for Operation Desert Shield?

These are the costs before a single shot is fired. A war is estimated to cost \$1 billion a day. If it lasts a year or more, as some predict, our annual deficit would double, and most of the savings worked out in last year's budget agreement would be lost.

Even the administration now admits that our nation is limping into recession. War would surely hasten the current economic tailspin.

If last year's budget battles proved anything, it's that we can't fight the deficit and Saddam Hussein at the same time. President Bush may relish his role as the world's policeman, but the U.S. can't afford to pay the bill and still compete with the economic might of Germany and Japan.

With a \$3 trillion debt, a massive trade imbalance, and growing dependence on foreign capital, America should no longer as policy be preeminent on the battlefield while continuing to ignore the ravages to us in the marketplace.

Accordingly, the fate of our economy as well as the fate of thousands of American soldiers will be affected by the choices made in the next week. Such a momentous decision should not rest in the hands of one man.

I firmly believe we can both force Iraq out of Kuwait and avoid a war that could quickly spread to engulf the entire region.

We should exhaust all diplomatic options. I pray that tomorrow Secretary Baker can persuade Iraq to remove his forces from Kuwait. But if that mission fails, war should not be the alternative.

We should return to the policy we had before Congress adjourned last October. That policy of defense and deterrence enjoyed the overwhelming support of Congress and the American people. And it succeeded in stopping Iraq from invading Saudi Arabia.

We should rely on UN-endorsed sanctions, not war, to force Hussein out of Kuwait.

Saddam Hussein is already paying a heavy price for his aggression. Iraq's oil exports have dropped from \$1.5 billion a month to zero. Iraq's GNP has declined 50 percent. And Hussein can no longer obtain replacement parts for his war machine.

President Bush has stated he is prepared to go the extra mile for peace. He should be just as willing to go the extra months needed to allow international sanctions to work for peace.

We should reduce our personnel in the Gulf to pre-November levels, maintain allied troops (who will fight to defend but may not fight to attack), and begin a rotation policy for our troops.

If the UN wants to police the Gulf, it should be with a multilateral force. The U.S. should secure a resolution under Article 43 of the UN Charter that would create a true multilateral force, with all countries involved bearing their fair share, under the UN military staff committee.

And we should devote as much attention on putting our economic house in order as we are now spending on enforcing the new world order in the Persian Gulf.

In the next decade and beyond, the United States must be prepared to win in the marketplace as well as on the battlefield. Our strength will be measured in economic not just military terms.

Unfortunately, the President uses the rhetoric of the new world but resorts to the methods of the old one.

The course this administration is now taking could be disastrous both militarily and economically. If the President isn't prepared to change direction, then it's up to Congress to intervene now, before it's too late.

Our founding fathers would expect no less from each of us.

THE 1ST INFANTRY DIVISION, FORT RILEY, KS

Mr. DOLE. Mr. President, recently, over 11,500 brave men and women of the 1st Infantry Division at Fort Riley, KS, began deploying to the Persian Gulf as part of Operation Desert Shield. Junction City, KS, has been the home of the "Big Red 1" for the past 24 years and has been the home of the fort for the past 137 years. Truly, this operation has affected Kansas and Kansans in a very personal way.

Mr. President, I have been particularly impressed with the outpouring of community support for the troops and their families who are staying behind. Gestures of kindness from all over the community have been both frequent and generous. Community volunteers have supplemented the efforts underway at Fort Riley's Family Assistance Center. I recently visited the family assistance center and was very impressed by the level of support the center is providing to Fort Riley's families. And, the local community is building on that support—individuals and businesses are lending a hand to those who are left behind. For instance, a variety of Kansas groups and organizations have offered their support and assistance including: Kansans for a Strong Fort Riley, who participated along with many others in "Yellow Ribbon Day" at Heritage Park to give a visible sign of community support to the Big Red 1; Jim Clark Auto Center has offered a variety of automotive services free of charge to dependents of deployed personnel including tire repair, towing, and jump starts; the Geary County Board of Realtors has established a "hot line" for military dependents to assist in settling housing maintenance and landlord disputes; First Presbyterian Church has volunteered meeting rooms and personal assistance; the Geary County Bar Association has offered support on legal matters; Montgomery Ward has offered free video taping of messages for dependents remaining in the area; the Retired Enlisted Association is coordinating volunteers for the family assistance center; First National Bank and Trust Company presented a check in the amount of \$2,500 to be used by Fort Riley's installation, morale, welfare and recreation fund. Also, Ford Motor Credit is offering assistance to soldiers in making car payments; Central National Bank is reduc-



ing their charges for their bill paying services; Parkview Hospital has extended their counseling service to USD 475 educators, free of charge, to help in the counseling of dependent children of departing military personnel; Kentucky Fried Chicken and Hardee's restaurants have donated juices by the case for use at the family assistance center and other sites.

Over the Christmas holidays, donations for the "Christmas in the Sun" operation reached for three-quarters of a ton of much needed items like toilet articles, bug repellent, reading materials, games, and food that was shipped overseas; the Kansas Board of Realtors and Town and Country Stores also made substantial donations for the troops and their families. And, a number of organizations, such as, Geary Community Hospital and First State Bank have sponsored specific units.

In addition, at Fort Riley, baby-sitting services are being provided so that military dependents can take care of tasks such as shopping at the commissary and other errands with greater ease.

Moreover, Mr. President, the people of Junction City and Geary County are proud of the Big Red One. To that end, the city commission of Junction City has adopted a resolution in support of the 1st Infantry Division. As Kansans we are all proud of the job Maj. Gen. Thomas Rhame and these soldiers are doing. Likewise, we are proud of the tremendous job the people of Junction City and Geary County are doing for the families of the soldiers.

Mike Fegan, mayor of Junction City, said to me in a recent letter accompanying the resolution, "We support them in their mission in Saudi Arabia and pray for their safe and swift return." Mr. President, I ask that this resolution be printed in full in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### OFFICIAL PROCLAMATION

Be it resolved by the governing body, city of Junction City, Kansas, as follows:

Whereas, Fort Riley and the soldiers at that installation have had a close relationship with the people of Junction City for the past one hundred thirty-seven years; and

Whereas, the First Infantry Division has actively been an integral part of our community for the past twenty-four years; and

Whereas, these soldiers have always been a part of our community family; and

Whereas, the people of Junction City have traditionally supported the soldiers of the First Infantry Division and the other Tenant Activities on Fort Riley in the work they have to do; and

Whereas, the President of the United States has called the members of the First Infantry Division to serve in Saudi Arabia along with other units from Fort Riley that have preceded them; and

Whereas, these soldiers represent the very best of our country and are the best trained soldiers with the best technology in our Army; and

Whereas, these soldiers in their deployment efforts have proven that an inland installation can deploy in a timely and suitable fashion to serve our Nation; and

Whereas, the soldiers and the officers who lead them are ready and eager to do the job they have been trained for: Now, therefore, be it

*Resolved by the City Commission of the City of Junction City, Kansas,* That we commend these soldiers of Fort Riley and the First Infantry Division for their dedication to duty and willingness to serve as called by the President; and

That the people of Junction City will stand by the slogan; Junction City is an Army town and proud of it and will continue to serve our deployed soldiers by giving the best possible care to their family members who remain with us; and

That the City Commission calls on all the people of our community to ask for guidance and assistance for all our soldiers from Him Who goes with them and yet remains with us that they may return home safe and soon.

Passed and approved this 11 day of December.

T. MICHAEL FEGAN,  
Mayor.

#### TIME TO CANCEL ASAT

Mr. KERRY. Mr. President, from my first days as a Senator, I have argued that the U.S. antisatellite weapons program was wasteful, unnecessary, and should be canceled.

For 6 years, I have sought to halt that program, and to instead convince the administration to negotiate limitations on antisatellite weaponry with the Soviet Union, as the best means of protecting United States satellites and the peaceful use of space for the long term.

During that time, we have on half a dozen occasions narrowly lost votes on cutting the Asat program, with the result that the United States has spent about \$1 billion during that time to press ahead with developing the ability for the United States to shoot down Soviet satellites at the start of a war between the great nuclear powers.

Indeed, just last July, my attempt to freeze antisatellite spending at \$72 million a year—instead of doubling it, as the administration requested—again lost narrowly on the floor of the Senate.

I argued then that it made no sense for us to authorize the funds to go full speed ahead with antisatellite weapons for use against Soviet satellites—at a time when we were cutting other military programs, including our own satellite programs—and at a time when we had a declining defense budget.

I argued then that the Army should abandon its program to place a fixed vertical Asat launcher housed in a concrete reinforced aboveground facility to be used for conflicts "up to the level of theater nuclear war."

Today, Defense News reports that after spending a total of \$1.8 billion, the Pentagon has finally decided on its own to kill the Asat program.

According to Defense News, the White House has formally approved the decision to cancel the Army's kinetic energy Asat for the new DOD 6-year defense plan, quoting an official at Rockwell, the Asat contractor, as saying that "senior Army officials preferred to spend their tight budget on projects more central to the Army than attacking enemy satellites."

It is about time.

The President's own national security advisor, Brent Scowcroft, coauthored an Aspen study group report a few years back which concluded that "we find it hard to identify a set of circumstances in which the benefits of using the limited existing Asat systems markedly outweigh the potential risks." Scowcroft wrote that "all scenarios involving the use of Asats, especially those surrounding crises, increase the risks of accident, misperception, and inadvertent escalation."

As Scowcroft wrote in a coauthored essay for the Aspen Institute, "at high levels of tension, attacks on satellites could easily be interpreted as a signal of an impending nuclear strike. For this reason alone, a move of this sort would be foolhardy \* \* \* the instabilities of this situation in a crisis would be enormous. Fearing preemption, each side might be driven to nuclear alert levels that were inherently unstable. An accidental collision of spacecraft in [geosynchronous orbit] or an unexplained maneuver could prompt a decision to attack the other side's Asats. \* \* \* Like the prospect of a nuclear first strike that has so worried strategists, it would be a seemingly crazy act made logical by desperate circumstances."

Mr. President, it is about time the Pentagon finally woke up to reality and stopped throwing money away on a program whose strategic rationale fractured years ago.

The U.S. Asat was initiated in late 1976 for a dual purpose: On the one hand, it was envisioned as a bargaining chip to obtain an Asat Treaty with the Soviets, a treaty that the Reagan administration has consistently opposed. Second, it was thought at the time that if the Soviets were not interested in negotiating such a treaty, an Asat launched from beneath an F-15 jet would be inexpensive, easily developed and extremely capable of attacking Soviet satellites. Each of these assumptions ultimately proved false. The projected costs of the program skyrocketed while technical difficulties caused the system to be far less capable than expected.

By 1980, development work on the F-15 Asat had progressed considerably, with Pentagon officials testifying that a deployed system would cost \$1.3 billion. This was to pay for an Asat force of 112 missiles, deployed on 56 F-15 aircraft at 2 Air Force bases.

By 1983, the program was experiencing serious trouble. A report by the General Accounting Office released in January of that year made the following conclusion:

When the Air Force selected the miniature homing vehicle technology as the primary solution to the antisatellite mission, it was envisioned to be a relatively cheap, quick way to get an antisatellite system. This is no longer the case. It will be a more complex and expensive task than originally envisioned, potentially costing in the tens of billions of dollars.

By the time the GAO report was released, the expected cost of the F-15 Asat had jumped to \$3.6 billion. Complications continued with the program through 1984, and in the summer of 1985, the Air Force itself reassessed the program discovering the cost had risen again to \$5.3 billion.

Faced with these cost overruns, the Air Force decided to scale back the number of planned missiles by two-thirds, and cut the number of deployment sites from two to one. Even with these reductions, the program's cost was still \$4.3 billion. Each MVH was running at a cost of more than \$30 million, for a 12-inch by 13-inch device merely designed to collide with enemy satellites.

Following the Air Force's decision to redefine the goals of the Asat program to something much less ambitious than the original program, the GAO looked at the Asat again. The result was a devastating analysis, released in a classified form in June 1986, which was highly critical of the ASAT's capabilities and costs.

After unsuccessfully trying to solve the technical programs associated with the MHV system, the Air Force canceled the Asat in 1988. But shortly before leaving office, members of the Reagan administration, working closely with Air Force Gen. John Piotrowski, commander of the United States Space Command, decided that regardless of Soviet capabilities or intentions, an Asat system was critical for the United States.

In the final days of the Reagan administration, they developed a whole new approach to antisatellite weapons, consisting of a new form of kinetic kill Asat, for which the Army became the lead agency. Under the new approach, Asats would not be primarily designed to deter the Soviets from using their primitive, antisatellite system, but instead to permit the United States to dominate space during any conflict by unilaterally shooting down Soviet satellites. In order to avoid controversy, this program was designed to begin with the development of low-orbit antisatellites, which could later be built upon for the development of a higher altitude Asat.

Rockwell was selected last summer to build the new Army system a battery of 72 missiles within the continental United States designed to reach

satellites in low earth orbits at a cost of about \$2.3 billion.

Last autumn, some sought to portray this system as the kind that might be useful against Saddam Hussein or another third world dictator. The problem is, that neither Iraq nor any other third world country controls any satellites. An Asat would have no function of any kind in a war against Iraq. Instead, it could be used to shoot down commercial satellites, such as those used by the television networks covering the war. Or our Asat might be used to shoot down Soviet satellites, despite the fact that the Soviets have become our allies for the purpose of imposing sanctions against Iraq.

The truth is the Soviet Asat threat has never been strategically significant. The Soviet kinetic Asat at Tyuratam was never terribly capable—failing to hit an object in perhaps half of its tests overall—and those capabilities inherently degraded further as a result of the Soviets not testing it since the summer of 1982.

The Soviets have repeatedly offered to negotiate limits on antisatellite weapons systems for years. The Reagan and Bush administrations have refused, despite the advice from such persons as Ambassador Paul Nitze that such agreements were in the U.S. interest, and year after year, we continued to spend money on developing an Asat, in the absence of any compelling rationale for doing so.

Mr. President, as I have argued for years, this Nation has more important needs for the billions of dollars than any Asat system would cost than the capability of shooting down Soviet satellites during the early stages of some final global conflict between the superpowers.

I commend the Pentagon on canceling this system and regret only that it fought the congressional attempts to do so last year, costing the taxpayers a couple of hundred million dollars that better could have been spent on meeting any of the real challenges facing our Nation to educate our people and build an economy for the coming century.

I ask unanimous consent that the article "After \$1.8 billion, Pentagon kills ASAT effort," in Defense News, January 7, 1991, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Defense News, Jan. 7, 1991]

#### AFTER \$1.8 BILLION, PENTAGON KILLS ASAT EFFORT

(By Philip Finnegan and Vincent Kiernan)

WASHINGTON.—The Pentagon will cancel the U.S. Army's kinetic energy antisatellite system in the new DoD six-year defense plan. This decision, already formally approved by the White House, was made after spending more than \$1.8 billion over the past decade to develop an antisatellite missile capability.

The classified defense plan also eliminates all funding in 1993 for the U.S. Air Force's Advanced Warning System to detect the launch of enemy ballistic missiles. A last-minute protest by the Air Force preserved \$160 million in funding for the program in the 1992 budget. Congress appropriated \$210 million in the 1991 budget.

These cancellations follow directions from the administration that about \$200 billion must be cut from defense budget plans for the next six years. Although the proposed 1992 budget will be formally presented to Congress in early February, the full six-year defense plan for 1992 to 1997 will remain classified.

The program cancellations will be controversial. "The Army's withdrawal from the [antisatellite] program is a terrible loss," retired Air Force Gen. John Piotrowski, former commander of U.S. Space Command, said in an interview last Thursday.

Gregory Canavan, senior scientific adviser at the Los Alamos National Laboratory, Los Alamos, N.M., warned that the Soviet Union retains its own rudimentary antisatellite system, despite the lessening of superpower tensions.

"I think it's quite dangerous to make decisions on the basis of [Soviet] intentions, because they can change with the speed of thought," Canavan said.

Piotrowski sees an antisatellite weapon as crucial even with a diminished Soviet threat. It is not clear who will be building or selling reconnaissance satellites within the next decade, he said, so even a Third World adversary might have access to sensitive data. Nor is clear whether the Soviet Union might share information with a potential U.S. foe, such as Iraq.

The kinetic energy antisatellite weapon, which would destroy satellites by the sheer force of impact, is crucial for such a role, Piotrowski said. Although there are efforts to develop a directed energy antisatellite weapon, such as a large ground-based laser that could disable a satellite by destroying its sensors, such a system would not be able to operate through clouds or dust storms.

According to one Defense Department source, the Army's directed energy Mid-Infrared Chemical Laser program was also canceled. This laser might have been developed to damage a satellite's infrared sensors or solar panels.

Piotrowski is also concerned by the elimination of funding in 1993 for the Advanced Warning System although that decision will be reconsidered during the preparation of the 1993 budget next year.

The existing system of Defense Satellite Support Program satellites is "barely marginal for the current time and is not adequate for the future," he said.

In particular, the proliferation of ballistic missiles makes it crucial to be able to view rocket launches from a large area of the globe. That may also require a capability to detect shorter range missiles, with less booster burn time, Piotrowski said.

Both systems faced past funding difficulties. A study by the Boston-based Union of Concerned Scientists, "Antisatellite Weapons: Why Escalate Now," found that "antisatellite weapons programs have been plagued by chronic indecision, shifting rationales, technical problems, and cost overruns" since the Pentagon began studying such programs in 1956.

At least five different antisatellite systems have been researched, including the miniature homing vehicle launched from an F-15 fighter. That system was canceled after Con-



gress prohibited the testing of the system against targets in space.

Five remaining weapons of that model remain in a storage bunker in Dallas, at a cost of \$5,000 per month, Rep. George Brown (D-Calif.), a leading critic of the system, said last year.

The contract for the kinetic energy anti-satellite weapon now being canceled was awarded only last July to Rockwell International, El Segundo, Calif., by the Army Strategic Defense Command in Washington.

After being selected last year as the service responsible for managing the program, the Army had planned to field a single battery of 72 missiles within the continental United States. The missiles would have been able to reach satellites only in low-Earth orbits.

A spokeswoman for the Army command declined comment on the program's fate, but one Rockwell official said that senior Army officials preferred to spend their tight budget on projects more central to the Army than attacking enemy satellites.

Critics of the antisatellite system see the cancellation as the logical result of a warming relationship with the Soviet Union. "The program is an anachronism," said another critic, Steve Aftergood of the Federation of American Scientists, Washington. "We are not threatened by enemy satellites at the moment."

"An armed conflict in Europe is not a scenario that makes much sense to invest much more in," a House staff member said. That will make any effort to resuscitate the program difficult.

The advanced Warning System has faced its own difficulties as the Strategic Defense Initiative Organization shifted responsibility for funding the program to the Air Force. The organization claimed that orbiting Brilliant Pebbles ballistic-missile interceptors would be able to provide the tracking required for the detection of enemy ballistic missile launches.

#### TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,126th day that Terry Anderson has been held captive in Lebanon.

#### RETIREMENT OF A GREAT PUBLISHER—EDWARD ST. JOHN OF THE FALL RIVER HERALD NEWS

Mr. KENNEDY. Mr. President, on the occasion of Edward St. John's retirement as publisher of the Fall River Herald News on December 31, 1990, it is a great pleasure to extend my congratulations to him for his long and illustrious career.

In a career spanning nearly half a century, Mr. St. John worked his way up from copy boy and messenger to publisher and chief executive officer of the Fall River Herald News, becoming a model for many others in journalism and in the community at large.

In addition to his exemplary service to the country during World War II and the Korean conflict, his career took him across the United States as he worked to build one of the Nation's largest newspaper groups. But he never

forgot Fall River. Returning home, he brought his energy, talent, and vision to the Herald News and the entire southeastern Massachusetts region.

His unwavering commitment to free speech and a free press helped ensure that the principles embodied in the first amendment of the Constitution will endure for future generations. His candid, forthright style set a standard for members of his editorial staff and for many others in the press.

Mr. St. John strengthened the electoral process, sponsoring public debates to help voters make informed choices about mayoral and congressional candidates. He worked to improve educational opportunities for the young, leading the effort in Fall River to establish the Henry Lord School in the south end, and serving on the governing board of the Southeastern Massachusetts University Foundation.

I also commend his tireless efforts to revitalize the economy and quality of life in Fall River and the surrounding region. Working with other members of the business community, he established a model public/private partnership—the Southeastern Massachusetts Partnership—which has played a vital role in attracting business and industry to the area.

Mr. St. John has also provided leadership in many other organizations, including the Greater Fall River Chamber of Commerce, the Fall River Foundation, St. Anne's Hospital, and the United Way of Greater Fall River. He has contributed to the revitalization of the waterfront through his efforts to restore the antique Lincoln Park Carousel and make it a part of Fall River's plans for the future.

As a skilled and dedicated journalist and as a caring and committed citizen, he has served his community, region, and Nation well, and he has earned our lasting gratitude and admiration. He will be greatly missed at the Fall River Herald News, and I join his many friends and colleagues in wishing him well in the years ahead.

#### MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 3, 1991, the Secretary of the Senate, on January 8, 1991, during the recess of the Senate, received a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on January 8, 1991, are printed in today's RECORD at the end of the Senate proceedings.)

#### REPORT ON CERTAIN BUDGET REVISIONS AND DEFERRALS MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 2

Under the authority of the order of the Senate of January 3, 1991, the Secretary of the Senate, on January 9, 1991, during the recess of the Senate, received the following message from the President of the United States, together with accompanying papers; which, pursuant to the order of January 30, 1975, was referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Foreign Relations, the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Commerce, Science, and Transportation:

#### To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith report two new deferrals and four revised deferrals of budget authority now totaling \$9,093,864,337.

The deferrals affect International Security Assistance programs, as well as programs of the Departments of Agriculture, State, and Transportation.

The details of these deferrals are contained in the attached report.

GEORGE BUSH.  
THE WHITE HOUSE, January 9, 1991.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MITCHELL (for Mr. NUNN) for himself, Mr. BYRD, Mr. PELL, Mr. BOREN, Mr. MITCHELL, Mr. LEVIN, Mr. LEAHY, Mr. WIRTH, Mr. AKAKA, Mr. BAUCUS, Mr. BENTSEN, Mr. BINGAMAN, Mr. BUMPERS, Mr. BURDICK, Mr. CONRAD, Mr. CRANSTON, Mr. DASCHLE, Mr. EXON, Mr. FORD, Mr. FOWLER, Mr. GLENN, Mr. HOLLINGS, Mr. INOUE, Mr. KENNEDY, Mr. LAUTENBERG, Mr. METZENBAUM, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. PRYOR, Mr. RIEGLE, Mr. SANFORD, Mr. SARBANES, Mr. SIMON, and Mr. WELLSTONE:

S.J. Res. 1. Joint resolution regarding United States policy to reverse Iraq's occupation of Kuwait; placed on the calendar.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Thursday, January 10, 1991, at 9 a.m., for a hearing on "Condition Critical: The Health Care Crisis and American Families."

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

## TRIBUTE TO ROBERTO TORRES

• Mr. GRAHAM. Mr. President, I rise today to offer a tribute to a living legend in the world of Latin music, salsa singer and bandleader Roberto Torres.

Mr. President, these are troubling times, when we face conflict and division in the world once again. But in times of peace and in times of war, in times of prosperity and in times of recession, there is an international language that binds the people of the world together as one: music.

And, as this century comes to a close, the music world recognizes Roberto Torres as one of its most endearing ambassadors.

High Fidelity magazine published the following review of his recent salsa album, *Elegantemente Criollo*:

A nouveau salsa sound with Colombian elements, Torres' music has a gentle, folksy feeling to it, although the arrangements make use of all the modern devices. Produced by studio wizard Jon Fausty, this disc lopes gracefully along like a horse on a country road: lots of guajira, son montuno, and cha cha cha to soothe you \* \* \*.

The music of Roberto Torres has served to unite our world—from Calle Ocho to Caracas, from Madrid to Miami—with songs of love.

Born in Guines, Cuba, Roberto Torres is known as "The Traveler," a well-deserved nickname. In New York City some 30 years ago, he formed the cooperative charanga Orquesta Broadway. In the Seventies, he made solo albums and launched the SAR label in 1979.

Roberto Torres produced albums on SAR and allied labels for veteran Afro-Cuban singer-percussionist-composer Papaito, singer-composer Linda Leida, Alfredo Armenteros, Henry Fiol, Charanga Casino, Cuban singer La India de Oriente, Peruvian singer Lita Branda, Cuban pianist-arranger Alfredo Valdes Jr., and his father, singer Alfredo Valdes, and many others.

In the early eighties, Roberto Torres led a revival of traditional Cuban music, selling millions of albums. He formed the SAR All Stars, whose albums featured an exceptional extended version of the Cuban classic "El Manisero" and Torres' moving vocal of "Lamento Borincano," about an emigre's nostalgia for home. His version of "El Caballo Viejo" have brought people to dance floors throughout the world.

Mr. President, as we enter the fourth decade that Roberto Torres has been making music in this country, we honor his creativity, his contribution to Latin America and his leadership in the music industry. •

## HOMELESSNESS

• Mr. SIMON. Mr. President, one of the most graphic illustrations of what

homelessness is all about appeared in an article by Leslie Baldacci in the *Chicago Sun-Times*.

One of the stories tells about a woman with four children who did not get her child support check one month and was removed from her home.

One story tells of a woman who received \$482 a month in welfare assistance but had to pay \$475 a month in rent. She says, "If I paid my rent, I couldn't pay my light bill. If I bought my baby some shoes, I couldn't pay my rent."

I urge my colleagues to look at this story because we too often look at the problems of homelessness purely in statistical terms.

I ask to insert the article in the *RECORD* at this point.

The article follows:

[From the *Chicago Sun-Times*, Nov. 21, 1990]

## ONE MISSING CHECK—AND HER FAMILY IS HOMELESS

(By Leslie Baldacci)

"I went from house to house, friend to friend. . . . For two nights we slept in a car. . . . I've stood on the corner and asked people to feed my children. One man took my son to a restaurant and just stood there and watched him eat. He told me, 'I didn't think a child could be that hungry.'"

Sheila, 30, is an example of the fastest-growing segment of Chicago's homeless population: families.

What makes her typical is that one glitch put her hopelessly behind in her rent, leading to her eviction, and she is now separated from her four children. Without them, her monthly public aid check dropped from \$475 to \$165. Her chances of getting them back together under one roof—any roof—are not good.

A study released Tuesday by the Chicago Institute on Urban Poverty shows that homeless families—mostly women with children under age 5—account for 40 percent of the 40,000 people who are homeless in Chicago over a given year.

"They are living in the streets, in shelters, in abandoned buildings, in train and bus stations and cars," said Marta White, the institute's director. White called for a "priority focus on making sure that system works for them instead of against them."

The city's Human Services Department confirmed that families are the fastest-growing segment, based on the number of beds used by women and children at city shelters. It estimates, however, that 12,000 to 49,000 people are homeless at any point over a year.

Statewide, the Chicago Coalition for the Homeless, which provided figures for the study, estimates the number of homeless at 80,000.

## DEVASTATING FOR KIDS

Very few homeless families are intact with two parents. And the few that are intact are split up because all shelters are segregated by sex.

The impact on children—who frequently change schools and are ridiculed as "shelter kids"—is "devastating," said Kathleen McCourt, sociology professor and dean of Loyola University's College of Arts and Sciences.

"They miss school, they have symptoms of a lot of behavior problems—nightmares, crying, clinging—behaviors that show they are living under great stress," she said.

McCourt and Gwendolyn Nyden, sociology professor at Oakton Community College in Des Plaines, interviewed 258 women at six Chicago area shelters between June, 1989, and last February for the study.

Thirty-one percent said domestic violence was the immediate cause of their homelessness. Half were separated from some or all of their children. Two-thirds started on the downward spiral to homelessness because welfare checks were lost or late or the amount was cut.

"More than half had lost their welfare benefits because they hadn't met public aid requirements—attended meetings, for example—most because they didn't receive notification. There was no secure mail box. For 60 percent, that led to an immediate housing problem," McCourt said.

## CAUGHT UP IN SYSTEM

Sheila said such a chain of events cast her family into the streets.

"I got caught up in the system," she said. "It all started when I [didn't get] a child support payment. The next thing I knew I was evicted."

Sheila said she used nearly all of her \$482 monthly check from public aid for her \$475 rent. "If I paid my rent I couldn't pay my light bill. If I bought my baby some shoes, I couldn't pay my rent."

She has lived in a shelter on the Southwest Side for two months while her three younger children are with a sister in Indiana. Her 11-year-old son is with her mother in a south suburb. The children were placed under Illinois Department of Children and Family Services supervision after Sheila left them with an uncle and he took them to a police station.

In order to regain custody, she said, DCFS says she must acquire a three-bedroom apartment. That would cost \$625, Sheila said.

In the study, 10 percent of the women interviewed lost custody of their children to the DCFS and 40 percent feared losing their children, McCourt said.

Jacqueline, whose 6-, 7-, and 8-year-old children are with her in a shelter, sent her 14-year-old son to live with a sister because most shelters will not allow male children over 11 or 12.

"He's feeling I don't want to be bothered with him. His grades have gone down dramatically," she said. Like most homeless families, hers bounced between friends and relatives for months before moving to a shelter.

McCourt said it's more difficult to re-enter the housing market because of required security deposits. Many people, like Sheila, stay in shelters for months saving their public aid checks to make the deposit.

"I've been here two months and I've only saved \$230," Sheila said. "To get into subsidized housing I need my children; DCFS says I can't have my children back until I have a place to live. Public aid won't give me the papers I need to find housing."

"This is a perfect example of how the state leaves people in complete harm's way," charged Douglas Dobmeyer, executive director of the Public Welfare Coalition. "It is not uncommon for families to pay 80 percent of their income for rent." Dobmeyer renewed his call for an increase in public aid grants—a mother with two children now receives \$367 per month in Chicago.

Gov.-elect Jim Edgar said he is proceeding with plans for a governor's conference on housing shortly after he is sworn in Jan. 14.

"We need to try to assess what should be our role, what can we do. Perhaps with the private sector we can do a better job of pro-



viding adequate housing for the homeless," he said.

The Urban Poverty group recommends a central information system on such services as day care, employment and housing for low-income individuals before they become homeless; increased funding to support development of affordable housing, and restoration of vacant and damaged public housing units.

#### STUDY PROFILES THE HOMELESS HERE

Key findings of the Chicago Institute on Urban Poverty study:

Homeless families account for 15,000 of Chicago's estimated 40,000 homeless.

A typical homeless family is a woman with children under age 5.

Half of homeless parents are separated from some or all of their children.

64 percent are dependent on public aid for income.

60 percent of public aid recipients lost housing because of a reduction in welfare benefits or a lost check.

31 percent lost housing as a result of domestic violence; 46 percent said they had left home in the past because of domestic violence.

30 percent left home because they were on the verge of eviction.

32 percent lost a home because of rent increase.

23 percent lost a home because their buildings were condemned.

16 percent had spent some nights during the past three years in a car, abandoned building or a garage.●

#### TRIBUTE TO BALLET CONCERTO ON 25TH ANNIVERSARY

● Mr. GRAHAM. Mr. President, I rise today to salute the remarkable Ballet Concerto Company based in Miami as it celebrates its 25th anniversary. This talented group symbolizes the best of this free Nation: Community involvement, cultural diversity, and creative excellence.

Mr. President, as we begin a new year in this final decade of the 20th Century, the rate of change in the world continues to impress us.

On February 1, the world will see yet another symbol of change. A premier Cuban dancer, Dagmar Moradillo, who recently left Cuba because of the stifling Castro regime, will debut on stage in Miami.

Dagmar Moradillo, in what will be an unforgettable evening, will perform with the Ballet Concerto Company at the Dade County Auditorium. This performance, also featuring Franklin Gamero, will be a tribute to art, to preservation of cultural heritage, and to freedom.

Some three decades ago, Sonia Diaz and Martha Pino were the first Cuban exiles from the Cuban National Ballet to become dancers in Miami. In an effort to preserve Cuban traditions, they created a ballet school that would become the Ballet Concerto Company. Eduardo Recalt, also a top Cuban dancer, joined the team.

The world's leading dance talent has performed with this company: Alexander Godunov, Valentia Kozlova,

Natalia Makarova, Yoko Morishita, Carla Fracci, Rudolf Nureyev, and more. Among those trained at the Ballet Concerto School include Maria Elena Mencia, Fernando Bujones, and Hilda Reverte.

In addition to a focus on classical ballet, Ballet Concerto also has established a Cuban folk dance group.

Mr. President, ours is a rich country based on the diversity of its people. The richness of our Nation is founded on the varied contributions of those who traversed the seas to come to our shores. Ballet Concerto is part of our tradition of embracing the future by respecting the past. We honor their achievements during the past quarter-century and offer our best wishes for continued success during the next 25 years.●

#### CHICAGO SCHOOL REFORM

● Mr. SIMON. Mr. President, one of the most exciting experiments in education that is taking place in the Nation is in Chicago where each local school has a school council that has been elected by the parents and citizens in that area.

The Christian Science Monitor recently had a fascinating story about the local school councils.

It is too early to make a judgment as to the success of the program, but it is not too early to say it has generated a great deal more interest in the schools, and, I believe, has the potential for really doing a constructive job in an area that desperately needs something positive and constructive.

I ask to insert the article from the Christian Science Monitor by Scott Pendleton in the RECORD at this point.

The article follows:

[From the Christian Science Monitor, Oct. 17, 1990]

CHICAGO SCHOOL REFORM TAKES ROOT IN COMMUNITY ACTION—PARENT-TEACHER COUNCILS CONTROL BUDGET, CURRICULUM  
(By Scott Pendleton)

Chicago's school reform is succeeding. It has to.

That's the feeling here about the process initiated a year ago to reform the city's schools, once tarred by a US secretary of education as the nation's worst.

"There's a spirit in this town: We can't let this fail," says Sharon Jenkins-Brown of Leadership for Quality Education, an organization of leading businesses that backed education reform.

"There are stresses and strains here and there. Fundamentally, it's working," says Ted Hearn, a spokesman for the John D. and Catherine T. MacArthur Foundation. Last week the foundation committed \$40 million to support the reform process.

Noting the city's progress, a survey conducted last week by Northwestern University in Evanston, Ill., concluded that the majority of Chicago parents are satisfied with their children's education, regardless of race, grade level, or enrollment in public or private schools.

Chicago has 547 public elementary schools and high schools to serve 410,000 students.

The student population is 59 percent black, 26 percent Hispanic, 12 percent white, and 3 percent Asian.

In 1987, half of the city's high schools ranked in the bottom 1 percent on American College Test scores, prompting then Education Secretary William Bennett to say, "If there's a worse [school system], I don't know where it is."

The dropout rate has been near 50 percent, Ms. Jenkins-Brown says. Among graduates, only one-third truly read and write at a 12th-grade level.

#### PARENTS TAKE ACTION

For parent Marj Halperin, the teachers' strike of 1987—the ninth in 18 years—was the last straw.

"The instability of the system was too frustrating," Ms. Halperin says. "You couldn't rely on schools to start on time." She attended a meeting of "upset parents" who eventually founded Parents United for Responsible Education (PURE).

PURE pressed for decentralizing control, putting schools in the hands of those the system serves. The bureaucracy "was a big impediment to progress," says Jenkins-Brown. "You had educators who didn't care about the kids."

Out of the furor came the School Reform Act of 1988. The new law created Local School Councils (LSC) charged with creating a budget and an improvement plan for each facility school. Six of the 11 members of LSCs are parents; two more are members of the community. The principal and two teachers fill the other slots. Together they craft a program that suits the needs of their student population.

"A parent has the right to say what they want their children taught," says Bernette Barnes, a social worker and parent who was elected to the LSC for Orr High School.

Orr, on Chicago's West Side, has an enrollment that is 90 percent black, Ms. Barnes says. Some students aim for college; others go straight into the work force. The LSC aims to have the school give the students the appropriate skills either way.

#### PROGRAM INNOVATIONS

One of its innovations has been to institute an entrepreneurial program. Another is to make day care available on campus so girls who have children aren't forced to drop out to care for them.

The reform act gave LSCs the power to select their school's principal. Last year, half of the LSCs systemwide were required to decide on a principal; the other half will go through that process this year.

The principal, meanwhile, gained much greater power to form his or her teaching staff. Before the reform bill, Jenkins-Brown says, "Teachers could miseducate kids for a couple years before you could get them out. Now it's 45 days."

The new LSCs have had their share of growing pains," though. Council members are elected for two years; 25 percent resigned after the first, says Halperin.

Part of the problem was the hours involved—"20, 30, 40 a week," she says.

And many who were elected to LSCs lacked the skills to do the job. "We didn't know what a school improvement plan was," Barnes admits. "We had to go out and get training." Meanwhile, Orr's LSC missed its deadline for submitting a school improvement plan and a budget.

#### YEAR OF EDUCATIONAL REFORM

Halperin, now a spokeswoman for Superintendent of Schools Ted Kimbrough, says her boss refers to last year as the "year of

governance reform." This and succeeding years will focus on educational reform.

Mr. Kimbrough was appointed at the outset of the reform process by Chicago Mayor Richard M. Daley. So far, the superintendent has cut 500 jobs from the school system's administration headquarters, Halperin says. Also gone is the widely reviled practice of requiring state-certified teachers to fulfill a city certification requirement. "It was an unnecessary layer, and unique to Chicago," says Jenkins-Brown. The Chicago test was viewed as "designed to keep certain kinds of teachers from getting into the system."

Now, Halperin says, "If the state says you're good enough to teach, you're good enough to teach here."

Mr. Kimbrough drew some fire from LSC members over his decision to freeze funds toward the end of the previous budget year. His aim, says Halperin, was to prevent the councils from spending left-over money that they knew they wouldn't be able to carry over.

But the LSC argued that each council had the right to form its school's budget. The dispute shows that the division of power between the LSCs and the central administration remains unclear.

The Chicago Panel on Public School Policy and Finance will be monitoring the progress of Chicago's education reforms over the next five years. •

#### HONORING WALTER JOHN CHILSEN

• Mr. KASTEN. Mr. President, one of the chief glories of our federal system is that it provides us with examples of excellence in public service very close to the grassroots.

One of the most impressive public servants I have ever known is retiring this week after 24 years as a Wisconsin State senator. Walter John Chilsen has been serving the people of Wisconsin's 29th Senate District since 1966, and he has served them with excellence.

Walter John has compiled a long list of legislative accomplishments, and has held a number of important leadership posts. But what was most important to him all along was the opportunity to serve the needs of his constituents on a day-to-day basis.

This is how Walter John will be remembered now that he is leaving the State senate. And I think that is his attitude toward public service lie all the answers to what afflicts our government at the Federal level.

In short, Walter John Chilsen is loved and respected today because he is in touch with the people he represents. He is an example we can be proud of—and from whose example we can learn a valuable lesson. •

#### ILLINOIS SALUTES ITS NATIONAL TWIRLING CHAMPIONS, THE SILVER KNIGHTS

• Mr. SIMON. Mr. President, today I rise to recognize the skill and dedication of a group of young people from my State.

The Silver Knights Military Twirling Corps were the 1990 Illinois, Midwest,

and U.S.A. National Military Twirling Corps champions. They also placed second to a corps from Canada for the second year in a row in 1990.

The members of this group are from all parts of Illinois, and range in age from 10 to 21 years old. In addition to their skill and dedication to the sport of twirling, many of these young people are honor students, members of their school sports teams, and members of various other extra-curricular clubs.

In these times, when so many of our young people are troubled, it is refreshing and encouraging to hear of this group. I am glad to see that their efforts are being rewarded.

There are many fine groups for young people to join. Clubs and organizations provide discipline, entertainment, and educational opportunities to their members. Today, I specifically commend the Silver Knights Military Twirling Corps of Villa Park, IL. •

#### ORDERS FOR TOMORROW

Mr. DASCHLE. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate recesses today, it stand in recess until 9:30 a.m., Friday, January 11; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders be reserved for later use in the day; and that following the reservation of the time of the two leaders, there be time for Senators to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. DASCHLE. Mr. President, if there is no further business today—and I see no Senator seeking recognition—I now ask unanimous consent that the Senate stand in recess under the previous order until 9:30 a.m., Friday, January 11.

There being no objection, the Senate, at 9:21 p.m., recessed until Friday, January 11, 1991, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Secretary of the Senate during the recess of the Senate on January 8, 1991, under authority of the order of the Senate of January 3, 1991:

##### THE JUDICIARY

OLIVER W. WANGER, OF CALIFORNIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE MILTON LEWIS SCHWARTZ, RETIRED.  
KENNETH L. RYSKAMP, OF FLORIDA, TO BE U.S. CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE PAUL H. RONEY, RETIRED.  
JAMES R. MCGREGOR, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE GERALD J. WEBER, RETIRED.  
RICHARD W. GOLDBERG, OF NORTH DAKOTA, TO BE A JUDGE OF THE U.S. COURT OF INTERNATIONAL TRADE, VICE PAUL P. RAO, DECEASED.

#### SECURITIES INVESTOR PROTECTION CORPORATION

GEORGE H. PFAU, JR., OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 1993, VICE FREDERICK N. KHEDOURI.

#### IN THE NAVY

THE FOLLOWING-NAMED CANDIDATES IN THE NAVY ENLISTED COMMISSIONING PROGRAM TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

#### NAVY ENLISTED COMMISSIONING PROGRAM, USN

##### To be ensign: permanent

LYNN E. ACHESON	KEVIN A. MAUNE
MICHAEL R. AMIS	ERIK W. MCCARTHY
DAVID B. ANDREWS	STEVEN A. MCDUGALL
RICARDO ARIAS	JOHN A. MCGUCKIN
DAVID L. ARNETT	LACY K. MITCHELL
STEVEN R. BALMER	CHRIS A. MOORE
KEDRIC M. BELLAMY	CHRISTOPHER L. MOORE
THAD A. BIGGERS	JOEY D. MOULTON
BRIAN S. BOMMARITO	SEAN D. MURPHY
RICARDO BORRERO	MICHAEL A. MUSEGADES
MICHAELA S. BRADLEY	TROY D. OLSON
GREGORY D. BURTON	SONDRA D. ONEAL
DONALD B. CAMP	JAMES M. PARISH
ALBERT M. CARDEN	GEORGE PEREZ
ANTHONY C. CARULLO	BETH A. PERRY
JEFFREY P. CILA	STEVEN J. PETROFF
RICHARD J. COBB	CLINTON D. PHILLIPS
WILLIAM F. CODY	MICHAEL A. PITCHFORD
CRAIG S. COLEMAN	RICHARD A. POWELL
ALEFJO H. COLLADO	RICHARD A. POWELL
RICHARD W. CRANLEY	JOSE QUIROZ
DAVID C. CRISMAN	LOWELL F. RECTOR
MARK W. DAVIS	ROBERT T. REZENDES
SANDRA J. DELUNA	KEITH A. RILEY
RICHARD DIMARIA	GARY A. ROGENESS
STANLEY DOBBS	RAYMOND A. ROGERS
CURTIS R. DUNN	MICHAEL L. RUSSO
SONYA I. EBRIGHT	SEAN J. RUTH
DAVID R. EDWARDS	JAMES P. RYAN
JAMES K. EDWARDS	GEORGE C. SALTZ
TANYA M. EDWARDS	EUGENE A. SANTIAGO
DAVID W. EGGE	THEODORE L. SCHICK
ROBERT L. EZZELLE	JEFFREY W. SCHOVANEC
RANDALL S. FAIRMAN	CHARLES C. SCHRONICK
JEFFREY A. FATORA	WILLIAM W. SCOTT
ALFREDO FERNANDEZ	STEVEN SELINSKI
DARRYL D. FIELDER	DANIEL T. SKARDA
MARK A. FRIERMOOD	JAMES L. SMITH
RAYMOND A. GABRIEL	STEPHEN P. SMITH
DOUGLAS R. GERRARD	KEVIN J. SNOAP
CYNTHIA L. GEYER	GERHARD A. SOMLAI
MARK J. GIACOMINI	STEVEN P. STACY
BRETT J. GLASCO	JACK A. STARR
DOUGLAS V. GORDON	FRANK R. STENBACH
LOUIS C. GUALDONI	MARK W. STEPHENS
DOUGLAS A. HAAG	JOHNATHAN M. STRANG
DALE S. HAMILTON	DOUGLAS R. SUHRE
JAMES R. HARRISON	ARTHUR R. TAYLOR
GREGORY A. HARVILLE	CLARK L. TAYLOR
RICHARD T. HEATH	RUBY M. TAYLOR
FERRANDO R. HEYWARD	GARY D. TEALL
THOMAS J. HOLDERREAD, JR.	DOUGLAS E. THARP
BRIAN K. HOLDSWORTH	CEDRIC J. THOMAS
PETER W. HUDSON	SHANE A. THRAILKILL
DAVID R. HUNTER	DONALD R. TILLERY
EDWARD S. HUNTER	SIDNEY TOOMBS
JOHN J. JACKLICH III	STEPHEN J. TRIPP
GEOFFREY C. JAMES	MARK E. TUELL
LARRYJON G. JANOLINO	CHRISTOPHER D. TURNER
ALFRED D. JOHNSON	ROBERT F. ULRICH
ERNEST E. JOHNSON	MARK A. URAM
RICHARD J. KEITZER	JOHN L. VANKAMPEN
ANGELIA M.	ANGELA L. VANMETER
KILLINGSWORTH	ROY J. VIRDEN
BERNARD D. KNOX	WILLIAM G. WABBERSEN, JR.
GREGORY A. KOENIG	RUSSELL H. WAGNER
MICHAEL F. KOZMA	VICTOR T. WASHINGTON
JEFFREY P. KRAUSS	DANIEL W. WAY
DAVID J. LARAMIE	MATTHEW J. WELTER
MARK A. LEARY	KEVIN WESTAD
ALLAN F. LEEDY	SHAWN E. WHITE
DONNA M. LEFEBVRE	GEORGE D. WIGINGTON
JOHN C. LEIG	MICHEY J. WILBUR
MARK A. LINDHOLM	LAWRENCE R. WILSON
DEANNA M. LOMBARDO	MERLE R. WILSON
MARK J. MACALA	SCOT M. WILSON
STEPHEN G. MACK	NOEL WISCOWITCH
BETH A. MANTI	

#### IN THE COAST GUARD

THE FOLLOWING REGULAR OFFICERS OF THE U.S. COAST GUARD ARE NOMINATED FOR PROMOTION TO THE GRADE OF LIEUTENANT COMMANDER:

RICHARD E. WELLS	JACK V. RUTZ
LYOYD M. MCKINNEY	DOUGLAS B. LANE
BRIAN J. FORD	JEFFREY D. STIEB
ROBERT C. THOMSON	WILLIAM J. BELMONDO
RICHARD L. BOOTH	BRUCE E. VIEKMAN
JOSEPH V. PANCOTTI	PATRICK T. KELLY
CHARLES E. MCMAHON	KENNETH L. KING, JR.
CHRISTOPHER T. BOEGEL	CUTRIS L. DUBAY



BRUCE M. ROSS  
MICHAEL L. BLAIR  
CHARLES S. JOHNSON, JR.  
RICHARD L. BOY, JR.  
DONALD R. WRIGHT  
RONALD A. GAN  
NEIL E. VANDEVOORDE  
DAVID C. AUVRAND  
GLEN A. ROBBINS  
MARK J. FIEBRANDT  
WILLIAM R. GRAWIE  
ROBERT F. CORBIN  
STEPHEN L. SIELBECK  
JON M. WATSON  
DANA E. WARE  
RICHARD J. PRESTON, JR.  
FRANCIS A. DUTCH  
DANIEL K. OLIVER  
KEVIN A. REDIG  
JOHN D. MCCANN, JR.  
KENNETH L. SAVOIE  
EMIL SIKORSKY III  
STEPHEN J. DARMODY  
PETER J. BOYNTON  
ROBERT A. BLACK III  
DONALD L. STURDIVANT,  
JR.  
NEIL O. BUSCHMAN  
DAVID H. SUMP  
DAVID R. KING  
ALEXANDER O. SIMONKA,  
JR.  
MICHAEL J. STANLON, JR.  
DAVID G. HOLMAN  
THOMAS L. KOONTZ  
PHILIP T. DANIELS  
DANIEL R. MAY  
WILLIAM J. SEMRAU  
ERIC M. JEWESS  
JAMES K. LOUPTTIT  
JOHN T. COSTELLO, JR.  
CRAIG H. ALLEN  
SUSAN D. BIBEAU  
KEITH B. LETOURNEAU  
DAVID A. CONKLIN  
DAVID B. HILL  
CHARLES W. HOLMAN  
STEVEN L. HEIN  
JEFFREY R. PETTIT  
PAUL K. LARSON  
RICHARD W. HATTON  
ROY A. NASH  
JOHN E. LONG  
BRUCE D. BRANHAM  
PATRICK J. NEMETH  
JOHN E. FROST  
JEFFREY D. HOLMGREN  
RODRICK M. ANSLEY  
SCOTT H. EVANS  
MARK P. BLACE  
STEVEN W. ELLIS  
VINCENT M. CAMPOS  
CHARLES D. PRATT  
DAVID A. MASIERO  
GERALD R. GIRARD  
JOHN H. KORN  
EDWIN H. DANIELS, JR.  
DENNIS M. HOLLAND  
SHANE C. ISHIKI  
KEVIN D. KRUMDIECK  
BENNETT T. BONOMI  
RANDELL B. SHARPE  
EVERETT F. ROLLINS III  
STEPHEN J. DANCUC  
PATRICK H. STADT  
KENNETH B. PARRIS  
MARK P. WATSON  
GLENN G. MILLER  
SCOTT D. GENOVESE  
MARC C. CRUDER  
ROBERT E. MOBLEY  
TIMOTHY J. LEAHY  
DANNY ELLIS  
JEFFREY S. GORDEN  
RODNEY D. RAINES III  
MARK A. FELDMAN

MICHAEL M. MILLAR  
MICHAEL A. JETT  
WALLACE T. WILLIAMSON  
CLAUDIA P. WELLS  
DANIEL J. MCCANN  
WILLIAM D. OSBORN  
DAVID L. MAXSON  
JAMES L. DURRETT  
JOSEPH W. BODENSTEDT  
ERIC A. ROSENBERG  
BRUCE K. HUERTAS  
EDWARD O. COATES  
GARY E. DAHMEN  
CARSTEN L. HENNINGSEN  
III  
MICHAEL S. BLACK  
CHRISTOPHER J. SMITH  
SAMUEL B. BROMLEY, JR.  
ROY W. JAMISON  
JACK G. ALBERT, JR.  
MICHAEL S. RHODES  
RONALD J. KOCHAN  
AL J. BERNARD  
WILLIAM C. GLIDDEN  
MICHAEL E. MAES  
JEFFERY PAY  
MARK D. BOBAL  
JAMES F. MCMANUS  
RICHARD J. BLOUNT, JR.  
LEWIS S. BLANKENSHIP  
STEPHEN A. STOTT  
DAVID L. SCOTT  
PHILLIP M. LITHELAND  
FRANCES L. PROBST  
RICHARD A. MCCULLOUGH  
DANIEL A. MUSSATTI  
JOHN D. BOGLE  
DANIEL A. CUTRER  
DAVID N. GRIFFITH  
SCOTT A. NEWSHAM  
GLENN A. GORTON  
GERALD M. SWANSON  
GLEN R. ZEAMER  
PAUL T. BUTLER  
ROBERT G. LAMBOURNE  
WALTER J. REGER  
HAROLD W. FINCH, JR.  
LARRY R. HAMMOND  
DAVID J. TAILOR  
EDWARD G. LEBLANC  
ROBERT B. GAYMAN  
TIMOTHY J. CUNNINGHAM  
ERIC J. SHAW  
MARY E. LANDRY  
WILLIAM D.  
BAUMGARTNER  
RICHARD B. BURT  
MARK J. YOST  
WILLIAM L. ZACK  
DALE G. STREYLE  
CURTIS A. STOCK  
LARRY R. WHITE  
MICHELE FITZPATRICK  
TRACY S. ALLEN  
JOHN G. CLINE  
STEPHEN E. MEHLING  
MICHAEL C. GRIZZONI  
DANIEL N. RIEHM  
WILLIAM R. MARHOFFER  
BRANDT R. WEAVER  
DAVID S. HILL  
KAREN T. HAYS  
JAMES D. MAES  
CRAIG M. JUCKNISS  
MICHAEL A. NEUSSL  
WILLIAM H. REYNOLDS  
BRIAN F. BINNEY  
GEORGE H. HEINTZ  
JOSEPH W. BRUBAKER  
GEORGE J. REZENDES, JR.  
JOHN M. FIDALEO  
JEFFREY H. BARKER  
MICHAEL D. HUDSON  
RAYMOND H. CARLSON, JR.  
GREGORY A. MITCHELL III  
PAUL J. REID

GREGORY L. SHELTON  
RALPH A. PETERETT  
MARK R. STEINHILBER  
ROBERT J. WILSON IV  
KEVIN J. CAVANAUGH  
GEORGE A. ASSENG, JR.  
DANIEL L. WRIGHT  
MICHAEL J. BROWN  
KATHY A. HAMBLETT

THE FOLLOWING REGULAR OFFICERS OF THE U.S. COAST GUARD OF THE PERMANENT COMMISSIONED TEACHING STAFF OF THE COAST GUARD ACADEMY ARE NOMINATED FOR PROMOTION TO THE GRADES INDICATED:

EARL H. POTTER, III

#### To be lieutenant commander

MARK B. CASE

ROBERT C. AYER

PURSUANT TO THE PROVISIONS OF 14 U.S.C. 729, THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE COAST GUARD RESERVE TO BE PERMANENT COMMISSIONED OFFICERS IN THE COAST GUARD RESERVE IN THE GRADE OF COMMANDER.

ALAN B. FOSTER  
WILLIAM J. EMERSON  
RICHARD F. MCGRATH  
FRED R. MULLINS  
PAUL H. WALLE  
TINO R. SERRANO  
THOMAS J. FALVEY  
JOHN P. MICELI  
WILLIAM H. CLONTZ  
JOHN S. ADAMS  
JAMES A. KANCLIER  
GERALD P. FLEMING  
CATHERINE A. BENNETT  
CLAUDIO AZZARO  
DAVID J. MARTYN  
RODERICK L. POWELL  
RICHARD T. WALDE  
FRANK A. FREISHEIM II

WILLIAM W. REID  
JAMES R. BYBEE  
BRIAN J. MCDONNELL  
RONALD G. DODD  
IVAN R. KRISSEL  
CHARLES N. GREEN  
SPENCER S. RICHDALE  
DAVID B. NORRIS  
ROY B. WEDLUND  
JOHN T. HEITLINGER  
CHARLENE L. REIM  
RICHARD E. TINSMAN  
RONALD W. SLUPSKI  
RICHARD D. CHRISTENSEN  
DAVID W. HOOVER  
KEVIN J. MACNAUGHTON  
ROBERT A. STROMSTED  
RICHARD M. SEBEK

THE FOLLOWING RESERVE OFFICER OF THE U.S. COAST GUARD RESERVE FOR PROMOTION TO THE GRADE OF CAPTAIN:

RONALD L. HINDMAN

THE FOLLOWING RESERVE OFFICERS OF THE U.S. COAST GUARD RESERVE FOR PROMOTION TO THE GRADE OF COMMANDER:

GREGORY E. SHAPLEY

RICHARD S. MARTINSON

THE FOLLOWING REGULAR OFFICER OF THE U.S. COAST GUARD TO BE A MEMBER OF THE PERMANENT COMMISSIONED TEACHING STAFF OF THE COAST GUARD ACADEMY AS AN INSTRUCTOR IN THE GRADE OF LIEUTENANT:

KURT J. COLELLA

THE FOLLOWING CADETS OF THE U.S. COAST GUARD ACADEMY FOR APPOINTMENT TO THE GRADE OF ENSIGN:

DENNIS M. ADLER  
JILL M. ALBERI  
BENJAMIN M. ALGEO  
DANIEL J. ALLMAN  
JAMES E. ANDREWS  
KEVIN G. ANSLEY  
JAMES P. ARNESTAD  
ANTHONY T. BAGINSKI  
MICHAEL E. BAKER  
CHARLES E. BARBEE  
DAVID E. BECK  
JAFFREY A. BIXLER  
SUSAN J. BLOOD  
STEVEN S. BONES  
DAVID P. BOURDON  
DEV A. BRAGANZA  
WILLIAM B. BRENNEMAN  
SCOTT C. BREWEN  
ERIC B. BRITCHER  
GREGORY A. BURG  
AMY BURKE  
DAVID W. BURNS  
MICHAEL D. BUSH  
JOSEPH S. CALNAN

JOHN V. CANTEY  
TIMOTHY S. CASTLE  
CHRISTOPHER W. CATALDI  
ANDREW D. CHRISTOVICH  
TODD M. COGGESHALL  
MICHAEL J. COLLINS  
WILLIAM T. COLSTON  
PATRICK G. COOK  
BENJAMIN A. COOPER  
JONATHAN E. COPELEY  
SCOTT W. CRAWLEY  
ROBERT S. CROKE  
MARK W. CROSSLEY  
BRADFORD J. CROWLEY  
TIMOTHY M. CUMMINS  
CARRIE A. DARLING  
ANTHONY M. DARMIENTO  
THOMAS M. DEELY  
DOUGLAS C. DILLON  
CHARLES A. DORIO  
JASON D. DOLBECK  
BLAKE R. DOLPH  
JEFFREY D. DOW  
PATRICK H. DOWNEY

DOUGLAS L. EBBERS  
STEPHEN C. ELLIS  
KENT W. EVERINGHAM  
JEFFREY B. FARLEY  
MARK J. FEDOR  
LEE S. FIELDS  
BRENDA S. FISHER  
PAUL A. FLYNN  
ERIC J. FORD  
KATHRYN C. FOUT  
DANIEL J. FRANK  
ROY FRANKHOUSER  
JOHN R. FREDA  
EUGENE J. GAGLIANO  
KEVIN F. GAVIN  
BRIAN C. GAVINI  
DARRIN W. GIBBONS  
SHANNON N. GILREATH  
MELISSA L. GRIFFIN  
GARRET P. GUINN  
JOHN E. HAIR  
DUSTIN E. HAMACHER  
RICHARD C. HAMBLETT  
ROBERT T. HANNAH  
LONNIE P. HARRISON  
JOHN C. HENIGHAN  
GLENN C. HERNANDEZ  
CHRISTOPHER M.  
HOLLINGSHEAD  
RONALD S. HORN  
RICHARD E. HORNER  
MARA M. HULING  
ELIZABETH S. HUMPHRIES  
MATTHEW J. HUNTER  
PEDRO L. JIMENEZ  
WILLIAM J. JONES  
TERI L. JORDAN  
JOHN D. KARPINSKI  
MARK W. KAVANAGH  
KEVIN M. KEAST  
KEVIN P. KENDRA  
NATHAN E. KNAPP  
DEAN M. KNICKERBOCKER  
PATRICK A. KNOWLES  
MICHAEL J. KURAS  
SUZANNE E. LANDRY  
WILLIAM J. LANE  
JOHN H. LANG  
SAHIBZADA A. LATIF  
MICHAEL P. LEBSACK  
SCOTT B. LEMASTERS  
RICHARD G. LERUDIS  
SEAN F. LESTER  
JASON D. LOIA  
KERSTIN B. LOWMAN  
CHRISTIAN R. LUND  
HANS M. LUNDIN  
JAMES D. LYON  
KEVIN C. LYON  
CHRISTOPHER L. MALLETT  
MICHELE R. MANAGO  
EDWARD J. MAROHN  
BRETT J. MARQUIS  
MARY L. MATTHEWSON  
DEAN E. MATTY  
JOHN W. MAUGER  
LOUIS M. MAZE  
MICHAEL C. MCALLISTER  
DAVID G. MCCLELLAN  
ROBERT S. MCCURE  
JOSEPH A. MCCURLEY  
TIMOTHY F. MCDONNELL  
DARRAN J. MCLENON  
ROCKLYN L. MCNAIR  
MICHAEL F. MCPHERSON  
KEITH P. MCTIGUE  
MICHAEL K. MESSENGER  
MICHAEL T. MICHELSON  
RICHARD E. MORE  
DAVID MOTHERWAY  
BRIAN D. MUELLER

SEAN MURPHY  
ANDREW D. MYERS  
BRIGID L. MYERS  
MICHAEL C. NEIDINGER  
RANDALL K. NELSON  
RICHARD K. NELSON  
JEFFREY F. NEUMANN  
BRIAN P. NEWMAN  
JOHN P. NOLAN  
WAYNE M. NOMI  
MICHAEL A. NUZUM  
SCOTT R. OLSON  
STEVEN D. OLSON  
TIMOTHY W. PAVILONIS  
ROBERT J. PEPPERLY  
MICHAEL C. PETERSON  
CHAD E. PHILLIPS  
JOHN N. PHILLIPS  
WILLIAM A. POND  
PATRICK J. POTTER  
ANDREW M. RAIHA  
RUSSELL E. RANEY  
MICHAEL W. RAYMOND  
SUZANNE L. RENDER  
PAUL E. RENDON  
JENNIFER G. REVELLE  
BRADLEY D. REX  
RUSSELL V. RHINEHART  
RONALD C. RICHARD  
JONATHAN N. RIFFE  
BRAD D. ROBERTS  
BARRY A. ROMBERG  
PATRICK A. ROPP  
MICHAEL T. RORSTAD  
JAMES T. ROTH  
JOSEPH F. RYAN  
ROBERT B. SANFORD  
DAVID SAVATGY  
TIMOTHY J. SCHANG  
THAD N. SCHATZ  
TODD J. SCHAUER  
HARRY M. SCHMIDT  
PATRICK H. SCHMIDT  
DOUGLAS M. SCHOFIELD  
JAMES M. SCOTT  
DAVID M. SERIS  
FRANCIS P. SHANNON  
MICHAEL A. SHIRK  
KIRK W. SHUBERT  
WILLIAM G. SMITH  
MIKEAL S. STAIR  
DREW K. STEADMAN  
JULIE A. STEPHENS  
THOMAS E. STICKLEY  
MICHAEL J. STONE  
CHRISTOPHER R. STOUT  
DAVID W. STRONG  
RONALD L. STRONG  
TODD R. STYRWOLD  
ERIC ST. MICHELL  
EDWARD M. ST. PIERRE  
THOMAS N. TERWIEL  
STEVEN C. TESCHENDORF  
PHILIP R. THORNE  
EDWARD J. TIDBALL  
RICHARD V. TIMME  
GARY L. TOMASULO  
THERESA M. TOOMEY  
JONATHAN W. TOTTE  
RALPH J. TUMBARELLO  
SONIA VALADEZ  
SETH D. VANESSENDELFT  
ROBERT C. VAUGHN  
STEPHEN J. WEAGRAFF  
TIMOTHY J. WENDT  
JEFFREY C. WESTLING  
RICHELLE L. WHITMORE  
ROBB C. WILCOX  
GREGORY D. WISENER  
SANDRA E. ZABALA